

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 15-20217

Hon. Stephen J. Murphy, III

D-1 DAVID HANSBERRY

D-2 BRYAN WATSON

D-3 KEVLIN OMAR BROWN,

Defendants.

JURY TRIAL: VOLUME 15
TESTIMONY OF GARY JACKSON

BEFORE THE HONORABLE STEPHEN J. MURPHY, III
United States District Judge
Theodore Levin United States Courthouse
231 West Lafayette Boulevard
Detroit, Michigan 48226
Wednesday, June 29, 2016

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EXHIBITS

<u>Identification</u>	<u>Offered</u>	<u>Received</u>
NONE		

1 Detroit, Michigan

2 Wednesday, June 29, 2016

3 — — —

4 (Proceedings commenced at 8:37 a.m., all parties
5 present)

6 (Whereupon the jury entered the courtroom at
7 8:37 a.m.)

8 THE LAW CLERK: United States District Court for the
9 Eastern District of Michigan is now in session, the Honorable
10 Stephen J. Murphy presiding.

11 The Court calls Case No. 15-20217, United States of
12 America versus David Hansberry and others.

13 THE COURT: Okay. Everybody may be seated. All our
14 jurors are here, everybody's in their spots and we're ready to
15 go.

16 MR. BUCKLEY: Good morning, Your Honor. The United
17 States calls Gary Jackson to the stand.

18 THE COURT: Okay. Thank you. Right this way, sir.

19 G A R Y J A C K S O N

20 was thereupon called as a witness herein, and after being
21 first duly sworn to tell the truth and nothing but the truth,
22 testified on his oath as follows:

23 THE WITNESS: Yes, sir.

24 THE COURT: Okay. Have a seat, relax in the box.

25 It's a little snug but you should be able to stretch out your

1 legs. Speak toward the mic so it picks it up.

2 And go ahead, Mr. Buckley.

3 MR. BUCKLEY: Thank you, Your Honor.

4 DIRECT EXAMINATION

5 BY MR. BUCKLEY:

6 Q. Sir, you've been sworn. Could you kindly state your name
7 and spell your last name for the record?

8 A. Gary Jackson, J-A-C-K-S-O-N.

9 Q. Thank you, sir.

10 First of all, Mr. Jackson, how old are you?

11 A. Fifty-three.

12 Q. And have you lived most of your life in or near the City
13 of Detroit?

14 A. Yes, sir.

15 Q. Are you currently employed?

16 A. Yes, sir.

17 Q. Without telling us where you work, could you please tell
18 us the type of work that you do?

19 A. Truck driver.

20 Q. Now, Mr. Jackson, in a former life were you a drug dealer
21 here in Detroit?

22 A. Yes, sir.

23 Q. And what types of drugs did you deal in?

24 A. Cocaine, weed and heroin.

25 Q. And did you traffic in cocaine and weed and heroin in

1 distribution amounts?

2 A. Yes, sir.

3 Q. Were you, in fact, charged in a federal indictment with
4 drug trafficking offenses?

5 A. Yes, sir.

6 Q. And, sir, were you charged in -- in this case or -- or in
7 your own separate case?

8 A. My own separate case.

9 Q. And with what crime or crimes were you charged federally
10 in your separate case?

11 A. Trafficking for cocaine, weed -- cocaine, heroin and phone
12 use.

13 Q. And when you say phone use, were you, in fact, charged
14 with a conspiracy to use cellular telephones to traffic in
15 controlled substances.

16 A. Yes, I was.

17 Q. And Mr. Jackson, what federal law enforcement agency
18 investigated your case?

19 A. DEA.

20 Q. And at some point, Mr. Jackson, did you learn that the DEA
21 had intercepted your telephone conversations concerning drug
22 trafficking by using a wiretap on your phone or telephones?

23 A. Yes, sir.

24 Q. Now, at some point, Mr. Jackson, were you approached by
25 agents of the DEA and the FBI?

1 A. Yes, sir.

2 Q. And can you tell us the date, if you recall?

3 A. The 25th, July the 25th.

4 Q. And in what year?

5 A. I think 13, 14.

6 Q. All right. And can you tell us the circumstances? Were
7 you -- were you approached at your home and placed under arrest
8 or what happened?

9 A. Well, I was driving from my house in West Bloomfield and
10 they stopped me on Northwestern Highway and Middlebelt.

11 Q. Were you arrested at that time?

12 A. I wouldn't call myself arrested but I was took in for
13 questioning.

14 Q. And did you consent to go with the agents for questioning?

15 A. Yes.

16 Q. And did you go downtown?

17 A. Yes, sir.

18 Q. And who was the agent from the DEA?

19 A. His name was Ryan.

20 Q. And who was the agent from the FBI?

21 A. Mr. Fitzgerald.

22 Q. Now, sir, during that interview did you provide FBI
23 Special Agent Mike Fitzgerald with information concerning the
24 activities and your dealings with certain Detroit police
25 officers?

1 A. Yes, I did.

2 Q. And did you agree at some point to cooperate with federal
3 authorities in this case?

4 A. Immediately.

5 Q. And by cooperating, what is it that you agreed to do?

6 A. Tell the truth.

7 Q. Now, you've told us that you've lived in or near Detroit
8 most of your life.

9 A. Yes.

10 Q. And you've told us that you've been a drug dealer here in
11 Detroit who has dealt in distribution amounts of cocaine and
12 heroin as well as marijuana, is that right?

13 A. Yes.

14 Q. Now, you tell us that you almost immediately agreed to
15 cooperate, is that right?

16 A. Yes.

17 Q. Surely you're aware that in the drug world there are
18 certain consequences for cooperating with law enforcement, is
19 that right?

20 A. Yes, sir.

21 Q. Particularly federal law enforcement?

22 A. Yes, sir.

23 Q. Why is it that you agreed to cooperate almost immediately?

24 A. Because of corrupt, dishonest police officers.

25 Q. Now, after your interview downtown with the DEA agent you

1 know as Ryan and Special Agent Michael Fitzgerald, did you and
2 your attorney engage in formal plea negotiations with the U.S.
3 Attorney's Office and the DEA?

4 A. Yes, sir. Yes, sir.

5 Q. Were you represented by an attorney in your case?

6 A. Yes.

7 Q. And who is your attorney?

8 A. Todd Perkins.

9 Q. And during your negotiations with the U.S. Attorney
10 through your attorney, did you advise that you had personal
11 knowledge concerning corrupt activities by Detroit Police
12 narcotics officers?

13 A. Yes, sir.

14 Q. After the plea negotiations, did you, in fact, agree to
15 plead guilty to a charge or charges contained in your federal
16 pleadings?

17 A. Yes.

18 Q. And was your agreement to plead guilty reduced to writing?

19 A. Yes.

20 Q. And do you know what that's called?

21 A. A Rule 11.

22 MR. BUCKLEY: And Ms. Koch, if you could help us by
23 publishing Exhibit 1100. Thank you, ma'am.

24 BY MR. BUCKLEY:

25 Q. Now, on the screen before you, Mr. Jackson, do you

1 recognize the document?

2 A. Yes, I do.

3 Q. And what is that document?

4 A. It's the Plea Agreement.

5 Q. And is that, in fact, your Rule 11 Plea Agreement?

6 A. Yes, sir.

7 MR. BUCKLEY: And could you go to page 2, Ms. Koch,
8 please?

9 BY MR. BUCKLEY:

10 Q. And the counts of conviction, sir, they're Conspiracy to
11 Possess With Intent to Distribute and to Distribute Five
12 Kilograms or More of a Substance Containing Cocaine, is that
13 right?

14 A. Yes, sir.

15 Q. And a Conspiracy to -- it says With Intent to Distribute
16 and to Distribute One Kilogram or More of Heroin, is that
17 right?

18 A. Yes.

19 Q. And then the Conspiracy to Unlawfully Use a Communication
20 Facility, that's -- that's legalese for cell phones, is that
21 right?

22 A. Yes, sir.

23 Q. Now, did your Rule 11 Plea Agreement contain sentencing
24 guidelines that set forth the amount of time you were looking
25 at in your case without cooperation?

1 A. It was 138 to 168 months.

2 Q. All right.

3 MR. BUCKLEY: And Ms. Koch, could you go to page 9 of
4 the Rule 11 Agreement?

5 BY MR. BUCKLEY:

6 Q. And do you see there, sir, "Agreed-Upon Guideline Range"?

7 A. Yes, sir.

8 Q. And that's pretty much what you just said, isn't it, 135
9 to 168 months?

10 A. Yes, sir.

11 Q. And your understanding, was it not, from talking to your
12 lawyer is that these guide -- these were guideline figures, is
13 that right?

14 A. Yes, sir.

15 Q. Now, did you also enter into a Cooperation Agreement with
16 the government?

17 A. Yes, sir.

18 MR. BUCKLEY: And Ms. Koch, could you kindly put the
19 cooperation provision up? Thank you, ma'am. And if you go to
20 subsection A and enlarge that for us. Thank you, ma'am.

21 BY MR. BUCKLEY:

22 Q. Does your agreement provide, sir, that you will provide
23 truthful and complete information concerning all facts of this
24 case known to you?

25 A. Yes, sir.

1 Q. And, sir, what is it that you expect to receive from the
2 government in return for your promise to testify truthfully in
3 this matter?

4 A. By me telling the truth, I would get a Plea Agreement that
5 they would -- the government would let me, allow me to have.

6 MR. BUCKLEY: And Ms. Koch, if you could go about
7 three pages further and zoom in on "Downward Departure."

8 BY MR. BUCKLEY:

9 Q. Now, sir, is it your understanding that if you
10 substantially assist in the investigation or prosecution of
11 others, the government will make a motion to your judge asking
12 for a sentence reduction?

13 A. Yes, sir.

14 Q. And what in the Cooperation Agreement does it provide that
15 that recommendation will be?

16 A. For telling the truth.

17 Q. And what type of reduction would you hope to receive in
18 return for truthful testimony?

19 A. Seventy-six months.

20 Q. Now, you understand, do you not, that the U.S. Attorney's
21 Office does not decide your sentence?

22 A. True.

23 Q. Ultimately who will decide your sentence?

24 A. The judge.

25 Q. And who is your judge?

1 A. Ms. Hood, Judge Hood.

2 Q. Here in this building?

3 A. Yes, sir.

4 Q. And have you pled guilty to the charges set forth in your
5 Rule 11 Plea Agreement before Judge Hood?

6 A. Yes, I have.

7 Q. And do you remember the date?

8 A. Not exactly, but I think -- because I went twice. It was
9 November, near Thanksgiving.

10 Q. Okay. And you pled guilty, is that right?

11 A. Yes, sir.

12 Q. So you accepted responsibility for the drug trafficking
13 that you're about to describe for us?

14 A. Yes, sir.

15 Q. Now, have you been sentenced?

16 A. Not yet.

17 Q. What is your current sentencing date?

18 A. August the 11th, 16.

19 Q. And again, sir, you understand that the U.S. Attorney's
20 Office only makes a recommendation, is that right?

21 A. True.

22 Q. And that Chief Judge Hood will decide your sentence?

23 A. Yes, sir.

24 Q. Now, sir, I'm going to ask you, have I or any other
25 Assistant U.S. Attorney or any federal agent promised you

1 anything that is not contained in your Rule 11 Plea and
2 Cooperation Agreement?

3 A. No.

4 Q. Sir, in addition to your federal drug felony convictions
5 that you've just described, do you have any prior state felony
6 convictions?

7 A. CCW and possession of marijuana.

8 Q. And how old are those?

9 A. 2003 for the marijuana and 1985 for the gun conviction.

10 Q. Now, Mr. Jackson, I want to first draw your attention to
11 the year 2010. Were you trafficking drugs here in Detroit?

12 A. Yes, sir.

13 Q. And in addition to your drug trafficking activities, did
14 you have another lawful way of -- of making money?

15 A. No. I was just doing drugs, sir.

16 Q. Did you lease a truck wash?

17 A. Oh, yes. Yes, sir.

18 Q. And where was that truck wash located?

19 A. On the east side, Outer Drive near Seven Mile.

20 Q. Was the truck wash a way for you to discover information
21 about drug trafficking here in the city?

22 A. It was nothing for me to discover. It was for me to have
23 trucks come and deliver narcotics.

24 Q. Did you spend time at the truck wash?

25 A. Yes, sir.

1 Q. And by virtue of that, sometime during the summer of 2010
2 did you come into possession of information about a substantial
3 cocaine deal here in Detroit?

4 A. Yes, sir.

5 Q. And did you know about it anyway?

6 A. Yes.

7 Q. And in July of 2010 had there been a large cocaine
8 shipment received here in Detroit?

9 A. Yes, it was.

10 Q. And do you remember roughly how many kilograms of cocaine
11 were involved in this deal?

12 A. A hundred.

13 Q. And did you have knowledge about where those hundred
14 kilograms of cocaine had been offloaded here in Detroit?

15 A. Yes.

16 Q. And where had that taken place?

17 A. At the wash that I leased.

18 Q. And as the lessor of this truck wash, did you actually see
19 the hundred kilograms being offloaded?

20 A. Yes, sir.

21 Q. Did you receive information as to where those hundred
22 kilograms of cocaine had come?

23 A. Yes, sir.

24 Q. Who had sent the hundred kilograms here to Detroit?

25 A. Cartel.

1 Q. And did you know where the cartel was located?

2 A. Not exactly, but I knew the cartel member that was
3 receiving them.

4 Q. Did you know if this was an international cartel?

5 A. Yes, it was.

6 Q. And where -- without even telling us a city, in what
7 country was the cartel?

8 A. Mexico.

9 Q. So the hundred kilos had been sent to Detroit by a Mexican
10 cartel?

11 A. Yes, sir.

12 Q. And you told us that you had seen the kilograms offloaded
13 at the truck wash, is that right?

14 A. True.

15 Q. And was it offloaded at the truck wash by local men, by
16 Detroit men?

17 A. True.

18 Q. And is it your understanding that these Detroit men were
19 then going to distribute or sell those kilos of cocaine here in
20 Detroit?

21 A. They were.

22 Q. Now, did you become aware of a planned money shipment from
23 those hundred kilos back to Mexico?

24 A. Right.

25 Q. And was that to pay for the hundred kilograms?

1 A. Yes, that was received.

2 Q. And how much money was going back to Mexico for those
3 hundred kilograms?

4 A. Three million dollars.

5 Q. And from where in Detroit was the \$3 million going to be
6 shipped?

7 A. From the same wash, Detroit wash.

8 Q. And by what conveyance, how, how was the \$3 million going
9 to be transported back towards Mexico?

10 A. Same way it came in, by truck, semi.

11 Q. Now, you're confident that the amount of money was
12 \$3 million?

13 A. Yes, sir.

14 Q. Now, Mr. Jackson, in your estimation at the time, was this
15 information that you've just shared with the jury valuable?

16 A. Yes, it was.

17 Q. And -- and how did you learn that that information could
18 be valuable?

19 A. Because I knew where it was \$3 million placed in one place
20 that I had the control over.

21 Q. Were you made aware of a Detroit Police Department program
22 that paid for information leading to large drug money seizures?

23 A. Yes.

24 Q. Now, do you know a man named Calvin Turner?

25 A. Yes, I do.

1 Q. Who's Calvin Turner?

2 A. A long-time friend and grew up, childhood.

3 Q. And you've known him since your childhood?

4 A. Yes, sir.

5 Q. Was Calvin Turner a drug associate of yours?

6 A. Yes.

7 Q. And to your knowledge, has Calvin Turner pled guilty to
8 federal drug charges?

9 A. Yes.

10 Q. Now, at some point, Mr. Jackson, did you share your
11 knowledge of this large money shipment with Calvin Turner?

12 A. Yes, I did.

13 Q. And why?

14 A. Because of him telling me about a reward that can be took
15 for seizure of money.

16 Q. And so just so the record's clear, so Calvin Turner told
17 you about a program that the Detroit Police Narcotics Section
18 had that could reward people for tips concerning money
19 shipments?

20 A. Yes, sir.

21 Q. Now, did Calvin Turner, in fact, introduce you to a friend
22 or associate of his who was a DPD narcotics officer?

23 A. Yes.

24 Q. And do you know the name of that officer?

25 A. Well, I know him better by Curly.

1 Q. And when you were first introduced to Curly by Mr. Turner,
2 were you aware that Curly was involved in -- in corrupt
3 activities, that he was a dirty cop, so to speak?

4 A. I didn't know right off, no.

5 Q. And did Calvin Turner introduce you to Curly?

6 A. Yes, he did.

7 Q. And can you tell us, where did that introduction take
8 place?

9 A. On Linwood at the car wash, at Calvin Turner's car wash in
10 Detroit.

11 Q. Do you know that to be Showroom Shine?

12 A. Yes, sir, that's the name of it.

13 Q. Now, at that first introduction when Calvin Turner
14 introduced you to Curly, was Curly alone or with other
15 officers?

16 A. He was with one other officer.

17 Q. Did you later learn that officer's name?

18 A. Yeah. Watson, Bullet.

19 Q. And do you see Bullet or Watson here in court today?

20 A. Yes, sir, right here, sitting down in this gray suit,
21 burgundy tie.

22 MR. BUCKLEY: Your Honor, may the record reflect the
23 identification of the defendant, Bryan Watson?

24 THE COURT: Yes, yes. Thank you.

25 Go ahead.

1 BY MR. BUCKLEY:

2 Q. Now, at the very first meeting at Showroom Shine, did you
3 share in general with Curly and with the defendant, Mr. Watson,
4 that you had information concerning a large money shipment?

5 A. Yes, \$3 million.

6 Q. And did Mr. Watson along with Curly express interest in
7 the information that you said you had?

8 A. Yeah, they expressed interest.

9 Q. Did they immediately say, "Okay, let's do this"? What
10 happened?

11 A. Well, it was told to me that I would get \$300,000 off the
12 top, and the DPD, Detroit, city would pay me 500,000.

13 Q. Who told you that?

14 A. Mr. Watson.

15 Q. So he told you you'd get \$300,000 off the top of the 3
16 million?

17 A. Right.

18 Q. Roughly 10 percent, and an official reward from -- from
19 the Detroit Police Department?

20 A. Yes.

21 Q. Did that sound attractive to you?

22 A. Yes, it did.

23 Q. Did that sound worth the risk to you?

24 A. Yes, it did.

25 Q. Were there risks involved in providing law enforcement

1 with this kind of information?

2 A. Yes, it was.

3 Q. Let's be real simple about it. What kind of risks are
4 involved in telling about Mexican cartel money?

5 A. Death.

6 Q. You decided, doing a cost-benefit analysis, that \$800,000
7 was worth the risk, is that right?

8 A. Yes, sir.

9 Q. So did you agree to yourself to go forward and provide the
10 police with information that might lead to a seizure of this
11 money, this \$3 million?

12 A. Yes, I did.

13 Q. Did you tell the officers that the hundred kilograms of
14 cocaine had already arrived in the city?

15 A. Right.

16 Q. Did you at that time know a specific date when the money
17 was going to leave for Mexico?

18 A. I knew not the specific date but I knew when it was ready
19 to leave, they had to come through me.

20 Q. Now, at that very first meeting you told us that Mr.
21 Watson and Curly expressed interest, is that right?

22 A. Yes.

23 Q. Did either one of them tell you that they had to talk to
24 their superiors before they could tell you this is a go?

25 A. No.

1 Q. Did you have later conversations with either one of them?

2 A. Yes.

3 Q. And when was the next time that you spoke with either the
4 defendant, Mr. Watson, or Curly about this subject matter?

5 A. I think a day and the day of when they -- the money was
6 getting delivered.

7 Q. So when you next spoke to them, what, if anything, did
8 they tell you?

9 A. Well -- well -- well, wait a minute. Let me retract. I
10 spoke to them and told them where the location was. They went
11 out and looked at the location, and Curly called and told me
12 that it wasn't such an address on Outer Drive. And he said
13 that Watson had said something like, "You know what we call
14 him? He's a guy that like telling a lie, trying to put us into
15 another position." And I asked him, I said, "What are you
16 talking about?" I said, "The address that I gave you," and
17 they said -- I said, "East Outer Drive." They went to West
18 Outer Drive and looked at the location.

19 Q. So you learned from this conversation that based on what
20 you had told Defendant Watson and Curly, that the officers had
21 gone out and done a little surveillance?

22 A. True.

23 Q. And they expressed concern because they didn't find the
24 site there, is that right?

25 A. True.

1 Q. But they had been confused whether it was East or West
2 Outer Drive?

3 A. Yes, sir.

4 Q. Once you cleared that up, did you have further
5 conversations with them?

6 A. Yes, I did.

7 Q. And did they continue to be interested in pursuing this
8 potential seizure of \$3 million?

9 A. Yes, they were.

10 Q. Now, ultimately did you provide Mr. Watson and/or Curly
11 with more detailed information?

12 A. Yes, I did. I told them the date, what time so they had
13 the -- a stakeout all ready, and they had found the location
14 where they can watch without really being close to the
15 situation.

16 Q. Now, at some point, at some point did the day come where
17 you became aware that the money, the \$3 million, was being
18 loaded up for shipment back to Mexico?

19 A. Yes, I did.

20 Q. And where was that taking place?

21 A. Over at my truck wash on Outer Drive near Seven Mile.

22 Q. Did you see the money?

23 A. Yes, sir.

24 Q. And did you see the money loaded into any vehicle?

25 A. Yes, sir.

1 Q. How was the money packaged?

2 A. Well, in plastic bags and it had little black markings on
3 it.

4 Q. Did you notice anything about the way the money was
5 packaged that suggested to you that the money was coming from
6 more than one group of cocaine dealers?

7 A. Well, I knew it was because the money, when we got the
8 hundred, 50 kilos went this way, 50 kilos went to the SA. And
9 so what happened is the money was turned in. I think the money
10 was really turned in 10 days before the truck had a path to
11 deliver because the cartel has a day to -- has a regular route,
12 so had to wait til the truck come in.

13 Q. In your experience, sir, is a hundred kilograms of cocaine
14 a large shipment?

15 A. Yes, sir.

16 Q. And how many groups here in Detroit were distributing it?

17 A. Two groups.

18 Q. And when the money came in back to the car -- truck wash,
19 excuse me, to be loaded up, did you see that the groups had
20 packaged it in a slightly different manner?

21 A. Right. Well, really the cartel, after you drop the money
22 off to them in southwest Detroit, they did the packaging. And
23 so at the end of the day, they couldn't tell you where all the
24 money was going to be at, you know, for them to say nothing had
25 happened to the money, but then when it got there, you know

1 what I'm saying, is how they packaged it.

2 Q. So did you see the money loaded into a vehicle?

3 A. Semi.

4 Q. And was the semi just a cab or was it towing a trailer?

5 A. It had a sleeper.

6 Q. Hmm?

7 A. With a sleeper.

8 Q. But was it towing a trailer?

9 A. No.

10 Q. As -- as the vehicle, the semi cab was preparing to leave,
11 did you make notification to anybody?

12 A. Yes. I went to the Burger King and called Curly and told
13 him it's -- it's getting loaded, it's getting ready to go out.

14 Q. Why did you go to the Burger King to do that?

15 A. Because I didn't want to use phone conversation around the
16 cartel so people would look, and when this incident happened,
17 that who used the phone or anything like that, so I didn't want
18 to raise no flags. So I just told everybody I'm going to get
19 them something to eat. The driver wanted something to eat too.

20 Q. The driver of the semi cab with the money?

21 A. Yeah, mm-hmm.

22 Q. So you went over to Burger King and you placed a call, is
23 that right?

24 A. Yes, I did.

25 Q. And who did you call?

1 A. Curly.

2 Q. Now, at that time, sir, were -- were you a Detroit Police
3 Department source of information?

4 A. At that time, no. Was I signed up?

5 Q. Yes.

6 A. No, I wasn't signed up right then and there.

7 Q. At some point were you signed up?

8 A. Yes, I was.

9 Q. And who was your controlling officer?

10 A. Curly.

11 Q. So when you went to Burger King, you called Curly, is that
12 right?

13 A. Yes.

14 Q. And what did you tell Curly?

15 A. That they're getting ready to pull off, you know, the
16 semi's getting ready to come out the wash. It was only a one
17 bay, so where they was angled right at the Randazzo across the
18 street, you can see it right from the parking lot, so they had
19 surveillance already on it.

20 Q. Did you see the cab containing the money leave the truck
21 wash?

22 A. Yes, sir.

23 Q. And did you see any other vehicle or vehicles accompany
24 the cab containing the money when it left the truck wash?

25 A. Yeah. The first vehicle, I don't remember the second, was

1 a PT Cruiser, and it had the cartel member, that Fat SA that I
2 deal with, and then it had another cartel member from Mexico
3 there.

4 Q. And in addition to the PT Cruiser containing the Mexican
5 cartel associates, did you see another vehicle accompany the
6 semi cab?

7 A. Yes, it was.

8 Q. Do you remember what that vehicle was?

9 A. Not exactly, sir. My concern was on the main members
10 really.

11 Q. Did you --

12 A. I just don't remember it.

13 Q. That's fine. Did -- did -- did you relay that information
14 to Curly or -- or did you just watch them leave?

15 A. I just opened the door and watched them leave.

16 Q. Did you become aware of a DPD traffic stop of the semi cab
17 and -- and the police seizure of the money?

18 A. Yeah, I became aware of it.

19 Q. How did you become aware of it?

20 A. Because Curly called me.

21 Q. Where were you when you received this call from Curly?

22 A. I think I was driving towards the west side.

23 Q. And do you recall what Curly said to you when he called
24 you?

25 A. Right.

1 Q. What did he say?

2 A. He said, "We sweet," and that's what I heard Watson
3 saying, to "tell him we sweet."

4 Q. They seem pleased?

5 A. Yes.

6 Q. Did you hear any conversations between Mr. Watson and
7 Curly about whether the money was in any type of order?

8 A. Yeah. "Ask him is it in sequence."

9 Q. So someone wanted you to be asked whether the money was in
10 sequence, is that right?

11 A. Yes.

12 Q. Who -- who asked that?

13 A. Watson. I overheard him on the phone when I was talking
14 to Curly.

15 Q. What does it mean for the money to be in sequence?

16 A. In order.

17 Q. Does that mean serialized in some fashion?

18 A. Numbered.

19 Q. Now, after that call, did -- did you make arrangements to
20 stay anywhere for the night?

21 A. Yes, at a hotel out in Romulus by the airport.

22 Q. And for what purpose?

23 A. So I can get the 300,000 off the top that was promised to
24 me.

25 Q. After arriving at the hotel, did you receive another

1 telephone call?

2 A. Yes, I did.

3 Q. And from whom?

4 A. Curly.

5 Q. And what, if anything, did Curly tell you during that
6 phone call?

7 A. "Hey, man, they said they didn't get any money." I
8 said -- I can't cuss -- I said, "What are you talking about,
9 you didn't get no money?" Then he told me, "Well, the lady
10 sergeant or the head of the department was at the Ninth
11 Precinct and arrived over there on Gratiot and Conners too
12 quick. They didn't have a chance to get any money."

13 Q. Did you understand that to mean that Curly was telling you
14 that the claim was there wasn't enough time to get the 300,000
15 off the top?

16 A. That's what he said.

17 Q. So were you happy about that?

18 A. I was furious.

19 Q. Did you later see anything on the television evening news
20 that made you more unhappy?

21 A. Yeah, a seizure of \$2.1 million.

22 Q. So you saw on the news that only \$2.1 million was seized,
23 is that right?

24 A. Yes, sir.

25 Q. And you've already testified and told us that you had

1 information that \$3 million was shipped.

2 A. Yes, sir. So I knew they was a liar and corrupt from that
3 point.

4 Q. Did that affect the way you chose to deal with them?

5 A. Yes.

6 Q. Now, did you immediately then receive a cash award from
7 the department, an official one?

8 A. Yes, after I met with certain people.

9 Q. So that's the question. Was it immediate?

10 A. No.

11 Q. Did you get your money the next day?

12 A. No, sir.

13 Q. Did you get it the next week?

14 A. No, sir.

15 Q. Did you get it two weeks later?

16 A. No.

17 Q. Did -- did you be -- begin to feel, based on all the
18 circumstances, that maybe you weren't going to get that reward
19 at all?

20 A. True.

21 Q. Did you feel like you had been cheated?

22 A. I knew I had been cheated.

23 Q. So do you recall, sir, on August 14th of 2010 receiving an
24 official DPD premium payment?

25 A. Yes, I did.

1 Q. And how much money did you receive from the department for
2 the tip you had provided?

3 A. \$250,000 cash.

4 Q. And where did that take place?

5 A. At a hotel on Telegraph near 11 Mile.

6 Q. And you've told us that you received how much?

7 A. 250,000 cash.

8 Q. Do you recall signing any paperwork at some point for
9 that?

10 A. Yes, I did. Yes, I did.

11 MR. BUCKLEY: Ms. Koch, could you publish 720-A
12 please?

13 BY MR. BUCKLEY:

14 Q. Sir, on the screen before you is a document entitled
15 "Receipt From Source of Information For Payment." Do you see
16 that?

17 A. Yes, sir.

18 MR. BUCKLEY: Could you zoom in on the top half
19 please? Thank you, Ms. Koch.

20 BY MR. BUCKLEY:

21 Q. Says that's a Form IR-1, is that right?

22 A. Yes, sir.

23 Q. Says the box is checked for "Specific Information." Do
24 you see that?

25 A. Yes, sir.

1 Q. And it says "Bonus Payment."

2 A. Yes.

3 Q. Says, "I hereby acknowledge receipt of \$250,000," is that
4 right?

5 A. Yes, sir.

6 MR. BUCKLEY: Can you scroll down, Ms. Koch, for me?

7 BY MR. BUCKLEY:

8 Q. Have you seen this document before, Mr. Jackson?

9 A. I when I signed it.

10 Q. Okay.

11 MR. BUCKLEY: Could you zoom in the whole bottom
12 half? Okay.

13 BY MR. BUCKLEY:

14 Q. It says August 14th, 2010?

15 A. Yes, sir.

16 Q. And the payee, you recognize that signature?

17 A. It's mine.

18 MR. BUCKLEY: Thanks, Ms. Koch.

19 BY MR. BUCKLEY:

20 Q. So where did you receive this cash payment from the
21 department.

22 A. At the hotel on Telegraph near 696.

23 Q. You've told us that you had been cheated by the police, is
24 that right?

25 A. Yes, sir.

1 Q. And you told us that that affected the way you chose to
2 deal with them, is that also true?

3 A. Yes, sir.

4 Q. So before this meeting, did you take any steps to make a
5 record of what was going to happen?

6 A. Well, if you let me explain, there was two steps. One was
7 contact the Chief Godbee and talk to him and tell him about it.

8 Q. Well, let's back up and -- and I'm going to ask you about
9 that. Was that during the delay between July 26th, the time of
10 the \$3 million seizure, and August 14th when you received the
11 payment?

12 A. Yes.

13 Q. Did you start to believe that you weren't going to receive
14 any payment at all?

15 A. No, I wasn't.

16 Q. So what steps did you do?

17 A. I contacted the Chief of Police and had a special meeting
18 with him in Troy, Michigan.

19 Q. Did you meet with the chief alone?

20 A. No. Derrick Coleman.

21 Q. Who was the chief at that time?

22 A. Chief Godbee.

23 Q. Derrick Coleman, is he the former NBA star?

24 A. Yes, sir.

25 Q. And how was it that you knew Mr. Derrick Coleman?

1 A. Childhood friends, Calvin Turner's cousin.

2 Q. So you all had a meeting, is that right?

3 A. Yes, sir.

4 Q. And who was there?

5 A. Just me, Derrick and Mr. Godbee.

6 Q. Did you tell Chief Godbee what had happened?

7 A. Yes.

8 Q. Did you tell him that it was a \$3 million seizure and
9 not -- not a \$2.1 million seizure?

10 A. Well, that's what -- he asked me how much money was there,
11 and I told him \$3 million.

12 Q. And what did he say?

13 A. "I knew it."

14 Q. Do you recall how much time passed after that meeting and
15 the time that you received your \$250,000 cash reward from the
16 department?

17 A. I think it was in -- within a week or two.

18 Q. And, you know, you've told us that you've been cheated by
19 the police, is that right?

20 A. Yes, sir.

21 Q. Did you feel that you could sue them?

22 A. I knew that by me being a criminal and the drug record
23 that I had, that nobody in the world would believe me against a
24 honest law enforcement officer.

25 Q. Did you feel like you could fight them over it?

1 A. Couldn't fight 'em, couldn't argue, couldn't do anything.

2 Q. At that time in your life, Mr. Jackson, if -- if -- if
3 you'd been cheated out of, what, 800 less 250 is \$550,000,
4 would you have tolerated that?

5 A. I couldn't do -- I was defenseless against the police
6 officers.

7 Q. And you told us that that affected the way you chose to
8 deal with them from then on out?

9 A. True.

10 Q. So in addition to meeting with Chief Godbee, did you take
11 another step?

12 A. Yes, I did.

13 Q. What did you decide to do?

14 A. I bought -- I went to the spy shop and I bought a pen, a
15 recording device, and I placed it in my pocket, when next time
16 I go and I was going with them -- I was scared to get the money
17 because I didn't even know if they was going to try something
18 then if they just ripped off \$900,000 from me. So what I
19 wanted to do was make sure if anything ever happened, that they
20 can hear it from their own mouth.

21 Q. So you said you went to the spy shop, is that right?

22 A. Yes, sir.

23 Q. And -- and what did you do when you went to the spy shop?

24 A. I bought the pen for a hundred dollars, \$99.

25 Q. And what was -- was there anything unique about this pen?

1 A. It could fit without it being out in the open. And then I
2 always used to wear dicky outfits and I wear dicky outfits a
3 lot, so I can slip it in this pocket and it be -- can be
4 covered so nobody can see it.

5 Q. And besides being a -- a writing utensil, what was this
6 device?

7 A. A writing pen.

8 MR. BUCKLEY: Gentlemen, Exhibit 723 as demonstrative
9 evidence.

10 BY MR. BUCKLEY:

11 Q. Mr. Jackson, I'm handing you what has been admitted into
12 evidence as Government Exhibit 723. And first of all, is that
13 the actual pen recorder that you used back in 2010?

14 A. It's not the actual pen recording but it's a replica of
15 the exact pen that I used.

16 Q. Is it the same manufacturer and the same model?

17 A. Yes. It was -- I had gold tips instead of silver, that's
18 the only thing.

19 Q. And could you open that box up please, sir?

20 Now, what happened to the actual pen recorder that
21 you used that day?

22 A. I misplaced it.

23 Q. And could you hold that up please? And -- and you've told
24 us that the actual pen recorder you used back in 2010 on
25 August 14th had gold trim, is that right?

1 A. Yes, sir.

2 Q. This has silver?

3 A. That's all, the difference.

4 Q. And that's the only difference?

5 A. Yes, sir.

6 Q. And did you turn that recorder on before the meeting?

7 A. Yes.

8 Q. And did you have it on your person?

9 A. Yes, I did.

10 Q. Now, at that time, sir, were -- were you recording this
11 meeting on behalf of any law enforcement agency?

12 A. No.

13 Q. You've told us that at some point you were signed up by
14 the Detroit Police Department, is that right?

15 A. Yes.

16 Q. At some later point were you also signed up by the FBI as
17 a source?

18 A. Yes.

19 Q. And we're going to talk about that a little bit later.

20 But at this time, on August 14th of 2010 when you recorded the
21 meeting, you did it on your own, is that right?

22 A. Yes, sir.

23 Q. And you've told us why.

24 So was there the meeting?

25 A. You say what, sir?

1 Q. Was there the meeting?

2 A. Yes.

3 Q. Did -- did it occur?

4 And you've told us it was a hotel?

5 A. Yes, sir.

6 Q. Now, you've told us that you received \$250,000 in cash, is
7 that right?

8 A. Yes, sir.

9 Q. Who was there at that meeting from the police department?

10 A. Curly, Watson, Hansberry, another tall, light-skinned guy,
11 a lady and a personal friend of mine.

12 Q. And why did you have a personal friend of yours there?

13 A. Because she was a Wayne County sheriff.

14 Q. You've told us that you had some concerns about your own
15 safety, is that right?

16 A. Yes, that's why. I couldn't -- I couldn't trust the DPD
17 no more.

18 Q. You mentioned a man named Hansberry. Do you see Mr.
19 Hansberry in the Court today?

20 A. Yes, sir. The gentleman right there.

21 MR. BUCKLEY: Your Honor, may the record reflect the
22 identification of the defendant, Mr. Hansberry?

23 THE COURT: Okay. Go ahead.

24 BY MR. BUCKLEY:

25 Q. Now, when Mr. Hansberry came to that meeting, was that the

1 first time you had ever met him?

2 A. Yes, sir.

3 Q. And what was your understanding as to why he was there,
4 what was his position relative to the defendant, Mr. Watson,
5 and to Curly?

6 A. Sergeant over them both.

7 Q. Now, since that meeting, Mr. Jackson, have you had an
8 opportunity to listen to the recording that you captured that
9 day?

10 A. Yes, I have.

11 Q. And have you had an opportunity to compare that recording
12 to the transcript that the jury's about to be seeing?

13 A. Yes.

14 Q. And is it a verbatim or word-for-word accurate
15 transcription of the conversation?

16 A. Yes, it is.

17 Q. And -- and does it accurately identify the speakers?

18 A. Yes, it does.

19 MR. BUCKLEY: Your Honor, with the Court's
20 permission, we would publish Exhibit 722, which is the
21 recording.

22 THE COURT: Yes, sir. Go right ahead.

23 MR. BUCKLEY: Thank you. Ms. Koch?

24 (Audio clip being played at 9:18 a.m.)

25 Q. Can you stop? When you said, "This is my cousin," sir, to

1 whom were you referring?

2 A. To Lynn.

3 Q. And was that the lady that you had there for your
4 protection?

5 A. Yes, it was, Wayne County sheriff.

6 Q. Thank you.

7 MR. BUCKLEY: Go ahead, Ms. Koch.

8 (Audio clip being played at 9:18 a.m.)

9 MR. BUCKLEY: Can you stop it, Ms. Koch?

10 BY MR. BUCKLEY:

11 Q. So when you said, "Are you Sarge?", were you asking
12 someone if they were Mr. Hansberry?

13 A. Right.

14 Q. Because you told us you had not met him before?

15 A. I never met him before.

16 Q. All right.

17 MR. BUCKLEY: Go ahead, ma'am.

18 (Audio clip being played at 9:19 a.m.)

19 MR. BUCKLEY: Can you stop it, Ms. Koch?

20 BY MR. BUCKLEY:

21 Q. So do you recognize that to be Curly?

22 A. Yes.

23 Q. And when he says, "That's the fastest anybody's got that
24 money," what is he telling you?

25 A. That the money for a witness or a defendant that's

1 received any type of money from a drug deal and proceeds,
2 that's the fastest anybody had received it, but not knowingly
3 that I had talked to the chief.

4 Q. Okay.

5 MR. BUCKLEY: Please go ahead, Ms. Koch.

6 (Audio clip being played at 9:20 a.m.)

7 MR. BUCKLEY: Can you stop it?

8 BY MR. BUCKLEY:

9 Q. Who's Benny?

10 A. Benny Napoleon.

11 Q. A high-ranking Detroit police officer?

12 A. Yes, sir.

13 Q. And why would you tell these men that you knew Benny
14 Napoleon?

15 A. Well, from them robbing me the first time, I -- I just
16 wanted to throw something out there, but that's not really her
17 cousin. Him and his father grew up -- and her father grew up
18 in Texas -- I mean Tennessee, and, you know, going to the same
19 church, so I just wanted to put something out there to -- to
20 let them back off because I already knew they had -- it was
21 corrupt police officers and had stolen that money.

22 MR. BUCKLEY: Go ahead, Ms. Koch.

23 (Audio clip being played at 9:21 a.m.)

24 MR. BUCKLEY: Stop it, Ms. Koch.

25 BY MR. BUCKLEY:

1 Q. So it identifies a person named Herbert. Did someone
2 arrive with the money?

3 A. Yes.

4 Q. And is that the person?

5 A. Yes.

6 Q. Was that a man or a woman?

7 A. It was a man and a woman.

8 MR. BUCKLEY: And go ahead, Ms. Koch.

9 (Audio clip being played at 9:23 a.m.)

10 MR. BUCKLEY: Can you stop it there?

11 BY MR. BUCKLEY:

12 Q. So the transcript identifies that as Hansberry. The
13 speaker, is that the Defendant Hansberry?

14 A. Yes, it is.

15 Q. In this courtroom?

16 A. Yes, it is.

17 Q. Thank you.

18 MR. BUCKLEY: Go ahead, Ms. Koch.

19 (Audio clip being played at 9:25 a.m.)

20 MR. BUCKLEY: Can you stop it right there?

21 BY MR. BUCKLEY:

22 Q. So Mr. Jackson, what's that noise, what's that racket?

23 A. The money being into a money counter.

24 Q. Now, is a money counter the type of machine used by
25 financial institutions like banks?

1 A. Yes.

2 Q. And -- and how does it operate?

3 A. You put the money in and it tells you exactly what it is.
4 If you put it for 100s or 50s, that's some old ones, but the
5 new ones just takes it right out the top, finding out the
6 dimension of the money.

7 Q. So a person could take a number of bills, of currency,
8 push in the denomination of the -- of the currency, and then
9 the machine counts the number of bills?

10 A. Yes, sir.

11 Q. And then does it also calculate the total?

12 A. Yes, sir.

13 Q. Now, who had brought the money counting machine to the
14 hotel?

15 A. Well, they brought one and I brought one.

16 Q. And which one was being used here?

17 A. I think it started off with mine and then they went to
18 theirs or...

19 Q. Okay.

20 MR. BUCKLEY: Go ahead.

21 A. One or the other.

22 (Audio clip being played at 9:26 a.m.)

23 MR. BUCKLEY: Would you stop it?

24 BY MR. BUCKLEY:

25 Q. That -- do you recognize that voice as being the

1 defendant, Mr. Watson?

2 A. Yes, it is.

3 Q. Here in this courtroom?

4 A. Yes, it is.

5 Q. Thank you.

6 MR. BUCKLEY: Go ahead, Ms. Koch.

7 (Audio clip being played from 9:26 a.m. to 9:33 a.m.)

8 MR. BUCKLEY: Counsel, may we stipulate that the
9 money counter continues until 14:57 and fast forward to 14:55?

10 MR. FISHMAN: Yes, sir.

11 MR. HARRISON: Yes.

12 MR. BUCKLEY: All right. Ms. Koch, can you assist us
13 in that regard?

14 (Audio clip being played at 9:33 a.m.)

15 MR. BUCKLEY: Could you stop that please?

16 BY MR. BUCKLEY:

17 Q. So at that point when you're signing something, is that
18 what you recognize and identified as 728, the receipt?

19 A. Yes, sir.

20 MR. BUCKLEY: Go ahead, Ms. Koch.

21 (Audio clip being played at 9:35 a.m.)

22 MR. BUCKLEY: Can you stop it, Ms. Koch?

23 BY MR. BUCKLEY:

24 Q. So you signed an internal departmental form as well?

25 A. Yes.

1 Q. A record of payment?

2 A. Yes.

3 MR. BUCKLEY: Go ahead, Ms. Koch.

4 (Audio clip being played at 9:37 a.m.)

5 MR. BUCKLEY: Can you stop.

6 BY MR. BUCKLEY:

7 Q. So -- so Mr. Jackson, why were you afforded an opportunity
8 to wash your hands?

9 A. I don't know. I just --

10 Q. Was it from handling the currency?

11 A. Yes.

12 Q. Were your hands sticky?

13 A. No, but, you know, money's dirty.

14 MR. BUCKLEY: Would you go ahead?

15 BY MR. BUCKLEY:

16 Q. Oh, and at some point were Officer Herbert and your cousin
17 excused from the room?

18 A. Yes.

19 Q. Who excused them from the room?

20 A. I think -- I'm not trying to be exact, but I knew it was
21 either Watson or Hansberry, one of them.

22 Q. But, in fact, did Officer Herbert and Sue, your cousin,
23 leave the room?

24 A. Yes.

25 Q. And did you remain in the room?

1 A. Yes, I did.

2 Q. Who remained in the room with you?

3 A. It was me, Curly, Watson and Sarge.

4 MR. BUCKLEY: Go ahead, Ms. Koch.

5 (Audio clip being played at 9:39 a.m.)

6 MR. BUCKLEY: Can you stop it, Ms. Koch?

7 BY MR. BUCKLEY:

8 Q. And Mr. Jackson, you're experienced. Do -- do drug
9 traffickers sometimes speak in code when they're referring to
10 illegal drugs?

11 A. True.

12 Q. And what are birds?

13 A. Kilograms, kilos.

14 Q. And when you said to the defendants that 10 birds are raw,
15 what does that mean?

16 A. Heroin.

17 Q. Okay.

18 MR. BUCKLEY: Go ahead, Ms. Koch, please.

19 (Audio clip being played from 9:41 to 9:44 a.m.)

20 MR. BUCKLEY: That's good.

21 BY MR. BUCKLEY:

22 Q. So you mentioned that you had information pertaining to a
23 Cuban, correct?

24 A. True.

25 Q. And then you tell the defendants, "One, two and three."

1 What -- what are you talking about there?

2 A. One is cocaine, two is heroin, three is weed.

3 Q. And, you know, when you were making that statement, did
4 you actually have information about a Cuban bringing in those
5 three types of drugs?

6 A. True.

7 Q. Okay.

8 MR. BUCKLEY: Go ahead, Ms. Koch, please.

9 (Audio clip being played at 9:45 a.m.)

10 MR. BUCKLEY: Stop it please.

11 BY MR. BUCKLEY:

12 Q. So the money that is legal, Mr. Hansberry talking about
13 the \$250,000 in cash you just received?

14 A. Yes.

15 Q. And he told you that if you put it in the bank, the IRS
16 would be aware of it, is that right?

17 A. True.

18 MR. BUCKLEY: Go ahead, Ms. Koch.

19 (Audio clip being played at 9:46 a.m.)

20 MR. BUCKLEY: Stop it right there.

21 BY MR. BUCKLEY:

22 Q. So Mr. Hansberry tells you that he excused Officer Herbert
23 and your cousin from the room?

24 A. True.

25 Q. And then the very first thing he says to you is he had to

1 make sure you weren't with the feds, the FBI or the DEA, is
2 that right?

3 A. Yes, sir.

4 Q. And then he -- he said, "I don't -- well, I ain't got no
5 problem giving it to you, shit off the top," is that right?

6 A. True.

7 Q. Was that your understanding of what the original deal was
8 going to be?

9 A. That was, was supposed to be.

10 Q. And now Mr. Hansberry is telling you, "Since I know you're
11 not with the feds, we can do it that way."

12 A. True.

13 MR. BUCKLEY: Go ahead, Ms. Koch, please.

14 (Audio clip being played at 9:48 a.m.)

15 MR. BUCKLEY: Can you stop the tape?

16 BY MR. BUCKLEY:

17 Q. So, in effect, was Mr. Hansberry telling you that from now
18 on, you're going to get yours right off the top?

19 A. True.

20 Q. And then that 20 or 30 grand on the back end, what was
21 that supposed to be?

22 A. From DPD or the City of Detroit with a legal payment
23 showing that they paid something legally.

24 Q. Just to make it look good?

25 A. Yes, sir.

1 MR. BUCKLEY: Go ahead please, Ms. Koch.

2 (Audio clip being played at 9:49 a.m.)

3 BY MR. BUCKLEY:

4 Q. Did you understand that to mean that in the future the
5 cash would be brought to you off the top in a brown paper bag,
6 for example?

7 A. Like it was supposed to be the first time.

8 Q. Thank you.

9 MR. BUCKLEY: Go ahead, Ms. Koch, please.

10 (Audio clip being played).

11 MR. BUCKLEY: Can you stop right there?

12 BY MR. BUCKLEY:

13 Q. So Mr. Hansberry at first says, "We can -- we can all --
14 you could be a millionaire doing this," is that right?

15 A. True.

16 MR. BUCKLEY: Go ahead, Ms. Koch.

17 (Audio clip being played at 9:50 a.m.)

18 MR. BUCKLEY: Can you stop?

19 BY MR. BUCKLEY:

20 Q. So when he talks about you getting popped with one, what's
21 he saying to you?

22 A. That he's going to get me out of jail, but -- but in
23 the -- it's not -- if you tell the police or the feds about it,
24 it's a get out of jail free card.

25 Q. So being popped means being arrested?

1 A. Yes, sir.

2 Q. So what he expressed to you was the problem with giving
3 you drugs is if you get caught with drugs, you might give up
4 the police that were involved with you?

5 A. True.

6 Q. And then Mr. Watson said, "We everybody's get out of jail
7 free card," is that right?

8 A. True.

9 Q. Mr. Hansberry says, "You know that's what I'm saying."

10 A. Right.

11 Q. All right.

12 MR. BUCKLEY: Go ahead, Ms. Koch, please.

13 (Audio clip being played).

14 BY MR. BUCKLEY:

15 Q. So when Mr. Hansberry says to you, "If you get popped,
16 I'll come get you," what is he telling you?

17 A. That he's going to get me released from jail.

18 Q. When he said to you, "I need you to do what you do," what
19 is it that you were doing at the time?

20 A. Continuing to sell drugs.

21 Q. Was it your understanding based on this conversation that
22 you had the green light to keep dealing drugs?

23 A. Yes, I did.

24 Q. Was it your understanding that you were going to be
25 protected by the defendants?

1 A. Yes, I was, supposed to.

2 Q. Did you ever tell Calvin Turner that the defendants told
3 you you had the green light?

4 A. Yes.

5 MR. BUCKLEY: Go ahead, Ms. Koch, please.

6 (Audio clip being played at 9:53 a.m.)

7 MR. BUCKLEY: Can you stop it?

8 BY MR. BUCKLEY:

9 Q. So when Mr. Hansberry says, "We're going to get rid of the
10 red tape," what was he telling you?

11 A. I don't have to go through the legal process no more to
12 receive the money.

13 Q. Money is going to come off the top?

14 A. Yes, sir.

15 MR. BUCKLEY: Go ahead, Ms. Koch, please.

16 (Audio clip being played at 9:56 a.m.)

17 MR. BUCKLEY: Can you stop right there?

18 BY MR. BUCKLEY:

19 Q. So what was happening there? Was there a phone call
20 received by one of the defendants?

21 A. Yes.

22 Q. Seemed to relate to something urgent involving other
23 police officers out on the street?

24 A. Yes.

25 Q. And as soon as they hang up, Mr. Hansberry says, "If you

1 bring that money, we'll get rid of the red tape," is that
2 right?

3 A. Yes.

4 Q. He gets right back to business, right?

5 A. Yes.

6 Q. He's all about that money.

7 MR. BUCKLEY: Okay. Go ahead, Ms. Koch.

8 (Audio clip being played at 9:56 a.m.)

9 MR. BUCKLEY: Can you stop it there?

10 BY MR. BUCKLEY:

11 Q. So this conversation about -- you know, a hypothetical Mr.
12 Hansberry gives about maybe being told there was a hundred but
13 only finding 95, he mentions you might get a call and be told
14 some's in the dumpster, isn't that right?

15 A. True.

16 Q. Was he talking about giving you seized drugs?

17 A. Well, those drugs wasn't seized. He took the seizure with
18 him and left them behind.

19 Q. He's talking about drugs that he took from a drug house,
20 for example?

21 A. True.

22 Q. And was going to divert to you?

23 A. True.

24 MR. BUCKLEY: Go ahead. Thank you.

25 (Audio clip being played at 9:58 a.m.)

1 BY MR. BUCKLEY:

2 Q. When you said that you're not going to do any brothers,
3 what are you telling Mr. Hansberry?

4 A. The black brothers, race, that I'm not going to do the
5 associates that I'm around and be there because they're not the
6 powerful ones, period. If people want to stop everything, they
7 got to go over the seas and stop it from coming here. Once it
8 get here, it's distributing it. These people ain't making the
9 type of money these people making. We don't make it, we don't
10 have no country to come and call out to ship anything overseas.

11 THE COURT: All right. All right. Let's stop the
12 speech and move on here.

13 MR. BUCKLEY: Thank you.

14 BY MR. BUCKLEY:

15 Q. Now, bottom line is you told him that you weren't going to
16 give up local men from Detroit, is that right?

17 A. True.

18 Q. And then he said, "I appreciate that 100 percent," is that
19 right?

20 A. True.

21 MR. BUCKLEY: Go ahead, Ms. Koch.

22 (Audio clip being played at 10:01 a.m.)

23 MR. BUCKLEY: Stop it, Ms. Koch.

24 BY MR. BUCKLEY:

25 Q. Did you understand Mr. Hansberry to tell you that if one

1 of your drug distributors was arrested, if you told him, he'd
2 take care of it?

3 A. True.

4 Q. Okay.

5 MR. BUCKLEY: Go ahead, Ms. Koch.

6 (Audio clip being played at 10:02 a.m.)

7 MR. BUCKLEY: Stop it please.

8 BY MR. BUCKLEY:

9 Q. So Defendant Watson said to you, "I don't care about
10 putting a brother in jail."

11 A. True.

12 MR. BUCKLEY: Could you go ahead, Ms. Koch?

13 (Audio clip being played at 10:05 a.m.)

14 BY MR. BUCKLEY:

15 Q. So at that point you shared with the defendants that the
16 PT Cruiser left the truck wash with the semi carrying the
17 money, is that right?

18 A. It wasn't carrying the money.

19 Q. No, that the semi cab carrying the money was found --

20 A. Yeah.

21 Q. -- by that PT Cruiser?

22 A. Yes, it was.

23 Q. As you testified today?

24 A. Yes.

25 MR. BUCKLEY: Go ahead, Ms. Koch.

1 (Audio clip being played at 10:07 a.m.)

2 MR. BUCKLEY: Could you stop there?

3 BY MR. BUCKLEY:

4 Q. So you're saying it's got to be sold first, is that right?

5 A. True.

6 Q. That's the cocaine?

7 A. True.

8 Q. For example, a hundred kilos?

9 A. True.

10 Q. To be distributed out into the streets?

11 A. Yes.

12 Q. Mr. Hansberry says, "My priority, we interested in the
13 money," is that right?

14 A. Right.

15 MR. BUCKLEY: Go ahead, Ms. Koch, please.

16 (Audio clip being played from 10:08 a.m. to 10:11
17 a.m.)

18 MR. BUCKLEY: Can you stop there please?

19 BY MR. BUCKLEY:

20 Q. So when Mr. Hansberry says to you, "Are we straight?",
21 what was he asking you?

22 A. Was I happy with the payment of money.

23 Q. And we heard your response. Is that because you had been
24 expecting what you were originally promised?

25 A. \$800,000.

1 Q. Which you told us was \$300,000 off the top and then a \$500
2 premium payment from the department?

3 A. True.

4 MR. BUCKLEY: Thanks, Ms. Koch. Go ahead.

5 (Audio clip being played at 10:11 a.m.)

6 MR. BUCKLEY: Can you stop it there?

7 BY MR. BUCKLEY:

8 Q. When you said, "When I read the paper, did you see my
9 face?", what -- what were you talking about?

10 A. I'm talking about when I saw the seizure of money that
11 they turned in. Instead of \$3 million, it was 2.1 they had in
12 the paper, so I knew then if you add the numbers, 900,000 makes
13 3 million.

14 MR. BUCKLEY: Ms. Koch, could you go ahead?

15 (Audio clip being played at 10:14 a.m.)

16 MR. BUCKLEY: Can you stop there please?

17 BY MR. BUCKLEY:

18 Q. So at that point Defendant Watson talks to you about a
19 dummy, is that right?

20 A. True.

21 Q. What's he talking about?

22 A. A fake kilo.

23 Q. And in what context?

24 A. It's not made with real cocaine but it probably test
25 positive.

1 Q. And was he talking to you about a plan to do some sort of
2 rip?

3 A. Yes.

4 Q. And he said, "I'll show you how to do that," is that
5 right?

6 A. True.

7 Q. And he's talking about making dummies?

8 A. True.

9 Q. Okay.

10 MR. BUCKLEY: Go ahead, Ms. Koch.

11 (Audio clip being played at 10:17 a.m.)

12 THE COURT: Okay. Let's take our morning break at
13 10:17. We'll take five minutes and be back here by about 10:25
14 or 10:30. Let's all rise for our jurors please.

15 (Whereupon the jury was excused at 10:17 a.m.)

16 (Court in recess)

17 (Proceedings resumed at 10:34 a.m., all parties
18 present)

19 (Whereupon the jury entered the courtroom at
20 10:34 a.m.)

21 THE COURT: All right. All of our jurors are back in
22 their spots. Everybody may be seated.

23 Mr. Jackson's coming back up to the stand, Mr.
24 Buckley is in place and we will resume. Go right ahead.

25 MR. BUCKLEY: Thank you, Your Honor.

1 BY MR. BUCKLEY:

2 Q. So Mr. Jackson, before we recessed, you were explaining
3 what was said at the meeting at the hotel room when you
4 received the \$250,000 cash payment from the Detroit Police, is
5 that right?

6 A. Yes, sir.

7 Q. Which was brought to you at a meeting attended by
8 defendants, Mr. Hansberry and Mr. Watson?

9 A. Yes, sir.

10 Q. What did you do with the 250,000 cash that you received?

11 A. I put some in the bank, spent some, took care of some
12 bills.

13 Q. Did you, in fact, have a safe deposit box?

14 A. Yes.

15 Q. Did you put some of the money there?

16 A. Yes, sir.

17 MR. BUCKLEY: Ms. Koch, could you show 726 please?

18 BY MR. BUCKLEY:

19 Q. Do you recognize this to be records relating to a safe
20 deposit box that you had?

21 A. Yes, sir.

22 Q. And where was the bank, what bank was it?

23 A. Bank of America on Evergreen and 11 Mile.

24 MR. BUCKLEY: Could you go to the next page please,
25 Ms. Koch?

1 BY MR. BUCKLEY:

2 Q. And do you recognize this to be related to your safe
3 deposit box?

4 A. Yes.

5 MR. BUCKLEY: And can we go to the next page, Ms.
6 Koch, and could you zoom in on the top?

7 A. But this is -- this is my son's name. I'm the senior,
8 he's the third, so it was his account.

9 BY MR. BUCKLEY:

10 Q. Okay.

11 A. All right.

12 Q. Did you use that box however?

13 A. Yes.

14 MR. BUCKLEY: Thank you, Ms. Koch.

15 BY MR. BUCKLEY:

16 Q. Now, after the meeting, the recording of which we just
17 heard in court, did you continue to have contact with Curly and
18 Mr. Watson and Mr. Hansberry?

19 A. Yes, sir.

20 Q. Did you continue to provide information to Curly as your
21 controlling officer?

22 A. Yes, sir.

23 Q. Because at some point were you, in fact, signed up as a
24 source of information by the Detroit Police Department?

25 A. That's the only way I could receive the money anyway.

1 Q. Because if you're not signed up as a source, you can't
2 receive money legally from the department, is that right?

3 MR. HARRISON: Objection. Leading, Your Honor.

4 THE COURT: Overruled. Go ahead.

5 A. Yes.

6 BY MR. BUCKLEY:

7 Q. And who explained that to you?

8 A. Curly.

9 Q. So you learned from the police that if you weren't a
10 documented source of information, you couldn't receive money
11 legally from the department, is that right?

12 A. Yes.

13 Q. Now, after the meeting in August of 2010 when you were
14 given that cash payment, did you ever move drugs for any of the
15 defendants?

16 A. Yes.

17 Q. And could you tell us what types of drugs?

18 A. Heroin.

19 Q. And who provided you with that heroin?

20 A. Well, all three of them was there. Watson pulled up with
21 it. I was already with Hansberry and Curly.

22 Q. And what was your understanding of what you were supposed
23 to do with that heroin?

24 A. Sell it and give them back some of the proceeds.

25 Q. Where did that meeting take place?

1 A. Voigt Park between Second and Third in Detroit.

2 Q. Did you, in fact, sell that heroin?

3 A. Yes, sir.

4 Q. And do you recall how much money you received when you
5 sold it?

6 A. What I received is what I took. I gave them about 50,000.
7 They wanted 70,000.

8 Q. Now, were there ever disagreements between you and -- and
9 Mr. Watson or you and Mr. Hansberry about how the money should
10 be split up?

11 A. Well, what it was is they was trying to give me street
12 prices, and after they did their corruption to me, I really
13 didn't feel the same about them anymore.

14 Q. Did you give them a nickname?

15 A. Super Friends.

16 Q. You called Mr. Hansberry and Mr. Watson Super Friends when
17 talking to other people?

18 A. Also Curly, yeah.

19 Q. Why did you call them the Super Friends?

20 A. Because they always come -- Super Friends come to your
21 rescue, like comic characters.

22 Q. Was there a time when the Super Friends helped come to the
23 rescue of -- of someone that you knew?

24 A. True, some they did.

25 Q. Did you ever receive information that a man, Fred Tucker,

1 was in kind of a dire situation?

2 A. True.

3 Q. Did Fred Tucker have a nickname?

4 A. Deke.

5 Q. Did Deke work for you?

6 A. Yes.

7 Q. Is he a runner for you?

8 A. Yes.

9 Q. And at some point did you receive information that Deke
10 was in trouble?

11 A. Yes.

12 Q. And what kind of trouble was Deke in?

13 A. I think -- I don't know the guy personally, but it was a
14 gentleman named Dante was holding him hostage. That -- that's
15 what he called it.

16 Q. Where was Dante holding Deke hostage?

17 A. In the Linwood/Dexter area. I don't know the exact
18 street, but I -- I know I had called the police and told them
19 after I called Curly.

20 Q. Was it someone's residence where Deke was being held?

21 A. Yes, it was Dante's.

22 Q. Okay. And what was the nature of that beef?

23 A. Well, he had went over there to buy up some marijuana, but
24 Dante also had owed him some money for a drug deal.

25 Q. Now, when you say he, Deke?

1 A. Yes.

2 Q. Deke had gone over to Dante's house?

3 A. Yes.

4 Q. You said that Deke wanted to purchase marijuana?

5 A. True.

6 Q. But also there was -- there was a debt, is that right?

7 A. True.

8 Q. And was Deke going to collect that debt?

9 A. Yes.

10 Q. Was Deke collecting that debt for you?

11 A. Yes.

12 Q. And what did that debt relate to?

13 A. A heroin deal.

14 Q. And so what was it that caused Dante to hold Deke hostage?

15 A. I guess Dante told him that it wasn't the right drugs, it
16 wasn't potent enough.

17 Q. So Dante wasn't satisfied with the quality of the heroin
18 you provided, is that right?

19 A. True.

20 Q. So what means did Dante employ or use to hold Deke
21 hostage?

22 A. A gun.

23 Q. And how did you first learn about this situation?

24 A. I was called.

25 Q. And who did you speak with?

1 A. First I think it was Fred -- it was a couple of people I
2 spoke to, but Fred and Dante himself.

3 Q. And -- and what, if anything, did Dante say he was going
4 to do to Deke?

5 A. Kill him if he don't get his money back or you won't see
6 him again, so same thing.

7 Q. So what, if anything, did you do when Dante threatened to
8 shoot Deke?

9 A. I called Curly.

10 Q. And what happened next?

11 A. Well, I called Curly. He told me I have to call in
12 because they not at -- he's not at work so I have to call 911.

13 Q. So the Super Friends weren't on duty, is that right?

14 A. No, sir, they wasn't.

15 Q. And did you learn that although not on duty, the Super
16 Friends were able to somehow come to the rescue?

17 A. True.

18 Q. What did they do?

19 MR. FISHMAN: Well, I -- I think the plural is not
20 what the witness said. Witness is just talking about talking
21 with Curly.

22 THE COURT: I recommend rephrasing. Go ahead, Mr. --
23 Mr. Buckley.

24 MR. BUCKLEY: Certainly, sir.

25 BY MR. BUCKLEY:

1 Q. When -- when you say Super Friends, to whom were you
2 referring?

3 A. To Curly, Watson and Mr. Hansberry.

4 Q. And you've told us that Curly was your controlling
5 officer, is that right?

6 A. True.

7 Q. So he was to be your primary point of contact?

8 A. True.

9 Q. Do you know whether Curly advised Mr. Watson and Mr.
10 Hansberry that Deke was being held at gunpoint at Dante's
11 house?

12 A. I really couldn't say 'cuz I just talked to him and I was
13 trying to get this situation resolved.

14 Q. Fair enough. You called the Super Friends, you called
15 Curly?

16 A. Yes.

17 Q. Did you learn -- you said that Curly said that they were
18 not on duty, is that right?

19 A. Yes.

20 Q. Did that mean Watson and Hansberry?

21 A. When -- when he said they, I just -- you know, my mind was
22 just spinning because he was being held hostage against his own
23 will.

24 Q. Was Deke rescued?

25 A. Yes.

1 Q. What happened?

2 A. I called one of my nephews that stayed in the area because
3 they had took somebody else, Hook, into the house too, but he
4 had got me the address. Then I can relay the address to the
5 police department.

6 Q. Did the police show up?

7 A. Yes, they did. I think Special Tactical Squads, you call
8 them something.

9 Q. Did you continue to deal with the Super Friends, including
10 Mr. Watson and Mr. Hansberry?

11 A. Yes.

12 Q. And did you continue to move drugs for them?

13 A. Yes.

14 Q. Did you receive money for doing that?

15 A. No.

16 Q. How'd that work?

17 A. Well, whatever money that -- if they gave me something off
18 the record, I just -- I give it to Curly and meet him in
19 Southfield.

20 Q. Now, sir, at some later point were you, in fact, signed up
21 by the FBI as a source of information?

22 A. Yes.

23 Q. And do you recall when that was?

24 A. Not exactly. If I'm -- from the FBI, I think it was
25 November. Yeah, it was in November.

1 Q. Of what year?

2 A. I think it was 12.

3 Q. And do you recall which Special Agent of the FBI was your
4 handler, who signed you up?

5 A. Pete Lucas.

6 Q. So it wasn't Special Agent Fitzgerald?

7 A. No.

8 Q. It was Pete Lucas.

9 And do you recall approximately how long you were
10 a -- a source for the FBI at that time?

11 A. About eight months.

12 Q. And did you ever receive a payment from the FBI for any
13 information you provided?

14 A. No.

15 Q. Now, around the time that you signed up as a source for
16 the FBI, were you aware of any transfers or changes in career
17 path for any of the Super Friends?

18 A. I think -- yeah, Watson and Curly, 'cuz they was a little
19 hesitant about me going to the FBI.

20 Q. Did you notice a change in the way you were treated by Mr.
21 Watson and Mr. Hansberry after you became an FBI source?

22 A. Yeah. They bagged up.

23 Q. And had you told them that you had signed up as a source
24 for the FBI?

25 A. Well, they knew that Curly was transferring over to -- on

1 the FBI task force, and Curly wanted to ask me did I want to
2 sign up and they was like, "No" -- well, Watson particularly --
3 "No, you don't want to do that, man." You know, he gave me an
4 incident scenario what happened to an informant before, like
5 you guys don't care, the FBI don't care.

6 Q. At some point you were terminated as an FBI source, is
7 that right?

8 A. Yes.

9 Q. And after that, did you have another deal with Mr.
10 Hansberry and Mr. Watson involving the rip of drug money from
11 someone?

12 A. Yes.

13 Q. And can you tell us what -- what was this supposed to be?
14 Who brought this to your attention originally?

15 A. Deke.

16 Q. So Deke, Fred Tucker, came to you with information, is
17 that right?

18 A. True.

19 Q. And -- and what did Fred Tucker tell you that he knew?

20 A. He said he had a source that wanted the kilo of cocaine,
21 and -- and I told him about the Super Friends I had and he
22 wanted me to put them together.

23 Q. So Fred had someone interested in buying cocaine, is that
24 right?

25 A. Yes.

1 Q. And do you know the name of that person?

2 A. I don't know him particularly. I know it's a Don, but I
3 never did know him or meet him.

4 Q. So Don was not a friend of yours?

5 A. Never.

6 Q. He was a friend of Deke's?

7 A. Yes, sir.

8 Q. And did Deke tell you how much cocaine Don wanted to buy?

9 A. Yeah.

10 Q. How much?

11 A. Key, a kilo.

12 Q. A kilo?

13 And did Deke tell you whether Don had buy money?

14 A. Yeah.

15 Q. And what happened next?

16 A. Well, I hooked him up, let him talk to Curly, and they
17 said it was a go and they just needed an area where to do it.

18 Q. Did you talk to the defendants, Hansberry and Watson,
19 about this situation?

20 A. I -- I really thought I talked to Curly. I might have
21 talked to Watson just a little bit, but we really didn't talk
22 on the phone. It was mainly Curly.

23 Q. Okay. Did -- did Curly tell you how the Super Friends
24 intended to handle this situation?

25 A. Yes.

1 Q. What did he tell you was going to happen?

2 A. Well, put him at a particular location and then have the
3 police to come up there in their car, and then while the money
4 is being transferred from the drug dealer that Deke had over to
5 the car, they was going to make a raid like with the lights
6 coming on, and then usually that scares the drug dealer away.

7 Q. Who then does what?

8 A. Takes off, leaves without the money.

9 Q. What location was picked to do this rip?

10 A. Meyers between Six Mile and the Lodge Freeway, Popeye's
11 Chicken, right across the street from Popeye's.

12 Q. And who picked that meet spot?

13 A. I can't say in particular. It could have been us, could
14 have been them, but it was somewhere quick off of -- off the
15 side; I can't be exact.

16 Q. Now, do you know, did the rip occur?

17 A. Yes.

18 Q. Were you there personally at that time?

19 A. No.

20 Q. How do you know that the rip occurred then?

21 A. Because I had a hotel room, a meet-up room for afterwards.

22 MR. BUCKLEY: And Ms. Koch, if you could publish
23 Exhibit 503 please.

24 BY MR. BUCKLEY:

25 Q. Sir, if you look on the screen before you --

1 A. Yes, sir.

2 MR. BUCKLEY: Could you zoom in on the top half, Ms.
3 Koch, please? Thank you, ma'am.

4 BY MR. BUCKLEY:

5 Q. You see there "Stay Details For Gary Jackson," is that
6 right?

7 A. Yes.

8 Q. At the Quality Inn?

9 A. Yes, sir.

10 Q. In Southfield?

11 A. Mm-hmm.

12 Q. Now, is that the same hotel where you received the
13 \$250,000 in cash?

14 A. Yes, it was.

15 Q. And it says an arrival date of September 6th of 2012, is
16 that right?

17 A. Right.

18 Q. For a two-night stay?

19 A. Yes.

20 Q. Now, why, sir, had you secured that hotel room?

21 A. So we can all get together afterwards so they can all --
22 it's a meeting spot.

23 Q. When you say "we all," who all was going to get together?

24 A. Hansberry, Watson, Curly, myself and Fred Tucker.

25 Q. Do you know how much money was taken from Don?

1 A. Approximately 40,000.

2 Q. Now, did you go to the hotel room?

3 A. Yes, I was at the hotel, yes, sir.

4 Q. And did you meet with anybody there?

5 A. Yeah. I met with all the people I just named.

6 Q. And was this immediately after the rip?

7 A. True.

8 Q. And what happened there?

9 A. They divided the money.

10 Q. And when you say "they," who divided the money?

11 A. Watson, Curly, Hansberry and Deke.

12 Q. And do you recall, were you involved in that divvying up
13 of the money?

14 A. Well, it wasn't really my rip, it was Fred Tucker's, but
15 he had owed me some money but he gave me 10,000. We split it
16 20/20.

17 Q. Was that from a preexisting drug debt?

18 A. Yeah, he had owed me.

19 Q. And did Mr. Watson and Mr. Hansberry get some of that
20 cash?

21 A. Yes.

22 Q. Now, at some point, sir, you've told us you were
23 approached by Special Agents from both the DEA, an agent named
24 Ryan, and Special Agent Michael Fitzgerald of the FBI, is that
25 right?

1 A. True.

2 Q. And at that time did they confront you with the evidence
3 that they had put together against you?

4 A. Yes.

5 Q. And you've told us that you were invited to come downtown
6 and talk, is that right?

7 A. True.

8 Q. During that meeting, Mr. Jackson, were you made aware that
9 the DEA had had a Title III wiretap on your phone or
10 telephones?

11 A. Yes, they told me.

12 Q. And were you also made aware that during the course of
13 that wiretap, conversations between you and Curly had been
14 intercepted by the FBI in a federal wiretap?

15 A. Yes.

16 Q. Did you agree to cooperate with the FBI on a sting of
17 Curly?

18 A. Immediately.

19 Q. Now, whose plan was this, was this your plan or the FBI's
20 plan?

21 A. Well, it was just to get -- to tell the truth, because
22 like I say previously, if I don't have any tape recordings to
23 explain myself, nobody's going to believe me going against a
24 federal law enforcement agent.

25 Q. Did an FBI sting of Curly actually take place?

1 A. Yes.

2 Q. And were you involved in that?

3 A. Yes.

4 Q. And what was -- what was the -- the sting of Curly,
5 what -- what was he told was going to happen??

6 A. That it was going to be somewhat like Don, it was a
7 meet-up, do a drug purchase. He pull up with the lights going
8 and seize the money while the other guy flees.

9 Q. So did you tell Curly that you were aware of someone who
10 was interested in -- in buying cocaine?

11 A. True.

12 Q. And where was this person coming from supposedly?

13 A. Ohio.

14 Q. And this was an FBI investigative ruse, is that right?

15 A. True.

16 Q. And how much money in -- in -- in drug proceeds was taken
17 from this man?

18 A. 40,000.

19 Q. And after the 40,000 was taken from this man, did you and
20 Curly meet?

21 A. Yes.

22 Q. Now, the man in question, did you know he was actually an
23 undercover FBI agent?

24 A. Yes, I did.

25 Q. And where did you and Curly meet after the -- the money

1 was taken from the agent posing as a drug buyer?

2 A. At the same hotel, previously met twice before.

3 Q. At that meeting with Curly, did he give you any money?

4 A. 20,000.

5 Q. Did you get to keep that 20,000?

6 A. No.

7 Q. What did you do with it?

8 A. FBI, DEA and federal prosecutors came in and got the money
9 after he had left the room.

10 Q. Mr. Jackson, do you know anyone named Renee Williams?

11 A. Who?

12 Q. Renee Williams?

13 A. Renee Williams? No. No, sir.

14 Q. Do you know a man named Richard Jones?

15 A. No.

16 Q. What about Nicholas Simmons, do you know Nicholas Simmons?

17 A. No.

18 Q. Do you know a woman named Amber Pickett?

19 A. No.

20 Q. Do you know Charlotte Simmons?

21 A. No.

22 Q. Do you know a man named Christopher Wilson?

23 A. No.

24 Q. Do you know a man named Derrick Warren?

25 A. No.

1 Q. What about Dwayne Browning, do you know Dwayne Browning?

2 A. No.

3 Q. Do you know a man named Rafael Vasquez?

4 A. No.

5 Q. Do you know a man named Louis Mars?

6 A. No.

7 Q. Do you know a woman named Sharde Mars?

8 A. No.

9 Q. Do you know a man named Arthur Knuckles?

10 A. Arthur Knuckles? No.

11 Q. Do you know a man named Calvin Pulley?

12 A. Calvin Pulley? No.

13 Q. Now, you've told us that you know Fred Tucker. Have you
14 discussed your testimony in this case with Fred Tucker, Deke?

15 A. No.

16 Q. Told us that you know Calvin Turner. Have you discussed
17 your testimony in this case with Calvin Turner?

18 A. No.

19 Q. You've told us that you know Curly. Have you discussed
20 your testimony in this case with Curly?

21 A. No.

22 Q. Thank you, Mr. Jackson.

23 MR. BUCKLEY: Nothing further, Your Honor.

24 THE COURT: Okay. Thank you.

25 Your turn, Mr. Harrison.

1 MR. HARRISON: Thank you, Your Honor.

2 CROSS-EXAMINATION

3 BY MR. HARRISON:

4 Q. Good morning.

5 A. Good morning.

6 Q. Mr. Jackson, you said you're 53 years old, is that right?

7 A. Yes, sir.

8 Q. Been in the drug business your entire adult life, correct?

9 A. Wrong.

10 Q. Okay. Tell me what's right.

11 A. I'll tell you it's -- it's not been my whole life.

12 Q. How long have you been --

13 A. I've been in trucking -- I've been trucking for 17 years
14 on and off.

15 Q. So you're a truck driver?

16 A. Yes.

17 Q. And you casually dabbled in drug dealing, that's your
18 testimony to us?

19 A. Yes.

20 Q. Okay. And you're -- you're a truck driver like Officer
21 Leavells is a truck driver, is that correct?

22 A. You say what?

23 Q. You know former Officer Leavells currently is a truck
24 driver now too?

25 A. I didn't know that.

1 Q. You didn't know that? You didn't get him that job?

2 A. No.

3 Q. Okay.

4 A. We haven't talked.

5 Q. You knew he was a truck --

6 THE COURT REPORTER: Wait, wait. You're both talking
7 at the same time.

8 MR. HARRISON: I'm sorry.

9 A. I said we haven't talked.

10 BY MR. HARRISON:

11 Q. You haven't talked?

12 A. Yeah.

13 Q. Okay. And you used to lease a truck wash, right?

14 A. True.

15 Q. And that was to wash your trucks?

16 A. Not my trucks, just the trucks that came in, sir.

17 Q. And you -- just a moment. You -- as your side job -- job
18 when you were -- weren't driving the truck, you were --

19 A. I just didn't drive a truck, sir. I owned beauty salons,
20 car washes too, so... okay?

21 Q. Okay. This is the way it's going to work on
22 cross-examination. I'm going to ask you questions. I'm going
23 to try and make them so that they're yes or no questions. I
24 ask that you answer my questions yes or no.

25 A. Yes, sir.

1 Q. If you can't, just let me know, okay?

2 A. Okay.

3 Q. That's the rules, how it works?

4 A. No problem, sir.

5 Q. Okay.

6 THE COURT: Let's avoid -- you don't need to be
7 referring to the rules.

8 Go ahead, Mr. Harris.

9 MR. HARRISON: Thank you.

10 BY MR. HARRISON:

11 Q. Okay. And, sir, you testified before a grand jury a
12 couple of times, correct?

13 A. True.

14 Q. Okay. And you testified before a grand jury on
15 March 12th, 2015. You remember that?

16 A. Yes, sir.

17 Q. Okay.

18 A. That was the date, yeah.

19 Q. And you testified to the grand jury, you told them that
20 you were involved in illegal distribution of cocaine, correct?

21 A. True.

22 Q. And you told them you were involved in the illegal
23 distribution of heroin, correct?

24 A. True.

25 Q. And you were involved in the illegal distribution of

1 marijuana, correct?

2 A. True.

3 Q. And you remember being asked that you would -- about how
4 many pounds of marijuana on average would be picked up? You
5 remember being asked about that?

6 A. Well, yeah, I was asked about it, yeah.

7 Q. Okay. And do you recall saying that, on average, what
8 would be picked up from you or your organization was 50 to a
9 hundred pounds a day?

10 A. No.

11 Q. No?

12 Directing your attention to line 15 -- I'm sorry,
13 page 15.

14 A. You did say a day, right, sir?

15 Q. I'm sorry?

16 A. You said a day, right?

17 Q. They?

18 A. You said a day?

19 Q. A -- a day.

20 A. Okay.

21 Q. A day.

22 A. Okay.

23 Q. Okay. Well, what would be right, to your recollection,
24 how much marijuana would --

25 A. I said I might have picked up 150 pounds at a time.

1 Q. At a time?

2 A. Not every day.

3 Q. Okay. You remember being asked this question: "And you
4 say some pounds of marijuana. Can you approximate the average
5 weight of the marijuana that he would pick up for you to
6 distribute?" And you saying, answering, "About 50 to a hundred
7 pounds."

8 A. Okay.

9 Q. You remember that?

10 A. Yes.

11 Q. That sound right?

12 A. Yeah.

13 Q. Okay. And then you were asked the question, "50 to a
14 hundred pounds each day?" And you gave the answer, "Not each
15 day but in the course of, say, a month, something like that."

16 A. True.

17 Q. Okay. So you were involved in the distribution of 50 to
18 150 pounds of marijuana a month, would that be fair?

19 A. On and off, yeah.

20 Q. Okay.

21 A. Wasn't nothing regular.

22 Q. Okay. And about five to ten kilograms of cocaine a month,
23 right?

24 A. True.

25 Q. And four to five kilograms of heroin -- of heroin a month?

1 A. True.

2 Q. Right?

3 A. Yes, sir.

4 Q. Okay. So this was, in your words, a part-time operation
5 you were involved in?

6 A. Well, it wasn't all the way consistent every day.

7 Q. Insignificant?

8 A. Well, all I can say is it wasn't every day, sir.

9 Q. You made more money in your legitimate businesses, that's
10 your testimony?

11 A. No, I wouldn't say that. I wouldn't say that, sir.

12 Q. Okay. So you'd agree with me that you made more money
13 dealing drugs than you did in any legitimate business you may
14 have been involved in, fair enough?

15 A. True.

16 Q. Okay. And, in fact, sir, you were the leader of an
17 organized group of people who were involved in the
18 distribution, correct?

19 A. I wouldn't call two or three people a group. Just --

20 Q. Okay.

21 A. All right.

22 Q. Fred Tucker worked for you, Deke, right?

23 A. Okay.

24 Q. Right? Yes?

25 A. Yes.

1 Q. Okay. And William Campbell, AKA Dub, worked for you,
2 correct?

3 A. No.

4 Q. Okay. And Tony Anderson, Little Tone, he worked for you,
5 right?

6 A. True.

7 Q. Okay. And Johnny Metcalf, AKA Hook, he worked for you,
8 correct?

9 A. Not all the time.

10 Q. Not all the time he worked for you?

11 A. No.

12 Q. Just part-time?

13 A. Yeah. And Tony Anderson.

14 Q. How about Orlando Perez?

15 A. No, he hasn't worked for me.

16 Q. Never worked for you.

17 Q. Okay. And Calvin Turner?

18 A. No, he haven't worked for me. He worked for theirselves.

19 Q. But you worked together, correct?

20 A. Very minor. Very minor.

21 Q. Very minor.

22 Q. You're -- you -- the prosecutor asked you if you were
23 aware of the fact that there were Title III wiretaps of your
24 phone.

25 A. Yes.

1 Q. And you said yes.

2 A. Yes.

3 Q. Okay. You'd agree that you talked to Calvin Turner every
4 day during the time at least that that wiretap was up, right?

5 A. No, I wouldn't say every day, sir.

6 Q. You wouldn't say every day.

7 How often do you recall talking to Calvin Turner?

8 A. The last 17 months before this happened, we had just had
9 occasional talk. We wasn't even talking. The friendship had
10 spreaded apart, sir.

11 Q. You and Calvin Conner (sic) --

12 A. Yeah, he was --

13 Q. -- had distanced yourself?

14 THE COURT REPORTER: Wait, wait. One at a time. I
15 can't take both of you talking at the same time.

16 THE WITNESS: Oh, okay.

17 BY MR. HARRISON:

18 Q. You distanced yourself?

19 A. Yes. He had new friends.

20 Q. He was a friend of yours since childhood, correct?

21 A. Yes.

22 Q. And he was involved in the distribution of marijuana,
23 correct?

24 A. Well, not so much with me.

25 Q. You were aware that he was involved in the distribution of

1 marijuana, correct?

2 A. Well, that's his business. I don't really have nothing to
3 do with that.

4 Q. The question is were -- were you aware that Calvin Turner,
5 Pretty Tony, sold marijuana, yes or no?

6 A. Yes. Yes.

7 Q. Okay. Were you aware that Calvin Turner sold cocaine?

8 A. Again, sir, you -- I don't know what he did in his last
9 17 months. It was very minor with me before time. I'm just
10 being correct with you.

11 Q. Okay. Well, I'm taking you back to May of 2014. You were
12 aware that Calvin Turner was selling cocaine, heroin, marijuana
13 in May of 2014, correct?

14 A. Well, that's what -- I was not a part of it so I'm telling
15 you where the friendship had already dissolved. I couldn't
16 tell you what he was doing every day. I'm just being honest,
17 sir.

18 Q. So fair enough. I'd like you to be honest.

19 A. Okay.

20 Q. Okay. So your answer to my question is no, you were not
21 aware that Calvin Turner was dealing in those drugs during that
22 time period?

23 A. I didn't -- well, like I say, I don't know all, but he
24 could but he wasn't -- we wasn't involved, sir.

25 Q. You weren't involved?

1 A. Right.

2 Q. You didn't have conversations about what was coming in,
3 how much it was going to cost?

4 A. Probably had conversations, but as far as him selling it
5 direct, sir, I can tell you no, I don't know.

6 Q. Okay. And --

7 MR. HARRISON: Moment, Your Honor?

8 THE COURT: Yep. Yes, sir.

9 MR. HARRISON: Thank you.

10 (Brief pause)

11 BY MR. HARRISON:

12 Q. And when was it that you said your relationship with Mr.
13 Turner drifted apart?

14 A. About 17 months.

15 Q. Seventeen months from when?

16 A. Before this incident happened with me.

17 Q. This incident, meaning when you were arrested?

18 A. Yes.

19 Q. Okay. And -- but you do -- you do agree that the other
20 persons that we just talked about, with the except --
21 exception -- that -- that -- Frederick Tucker, William
22 Campbell, Johnny Metcalf, at least were employees of yours in
23 your drug organization, right?

24 A. You said employees?

25 Q. Who worked for you.

1 A. No, William Campbell never worked for me.

2 Q. Oh, but he --

3 A. We might have worked together but -- okay?

4 Q. Worked together.

5 And you entered into a cooperation with the --
6 agreement with the government where you agreed to testify
7 against these men, correct?

8 A. True.

9 Q. And that included Calvin Turner, didn't it?

10 A. Yes.

11 Q. Okay. And you agreed to testify to them about the
12 operations that you had -- you with those people regarding a
13 narcotics conspiracy, correct?

14 A. Yeah. It's previous times with Calvin Turner, yeah, but
15 it wasn't nothing in that 17 months.

16 Q. Nothing in that 17 months?

17 A. Nothing that I can recall --

18 Q. But you --

19 A. -- that we --

20 Q. -- but you --

21 THE COURT REPORTER: Wait.

22 A. We were spreaded apart, sir.

23 Q. I -- I know. You've been --

24 A. Okay.

25 Q. -- wanting to make that very clear.

1 A. All right. Okay, sir.

2 Q. But you did enter into an agreement with the government --

3 A. Right.

4 Q. -- where you agreed that you had conspired with all these
5 men to distribute --

6 A. Yes --

7 Q. -- narcotics, correct?

8 A. -- because it goes back to 2010, sir, yes, it does.

9 Q. Okay.

10 A. Yes, I did.

11 Q. So yes is your answer?

12 A. That's what I just said, sir.

13 Q. Okay. And you were the leader of this conspiracy,
14 correct?

15 A. I was the leader of Fred Tucker, Hook and a part of Tony
16 Anderson before he left, but no leaders between the other two.

17 Q. No leadership with the other two. Okay.

18 MR. HARRISON: Maria, can we please get his Rule 11
19 agreement please?

20 BY MR. HARRISON:

21 Q. Sir, I'm going to direct your attention to Exhibit 1100.1,
22 page 20.

23 A. Okay.

24 Q. The bottom of the page.

25 This was a worksheet that you went -- you went over

1 this worksheet with your lawyer as part of your Rule 11

2 Agreement that you signed, right?

3 A. Okay. True.

4 Q. Okay meaning yes, true?

5 A. Yes.

6 Q. And you agreed that you were assigned four points as the
7 organizer or leader, didn't you?

8 A. True.

9 Q. Okay. You went over that with your attorney before you
10 signed it, right?

11 A. Mm-hmm, right.

12 Q. And the government explained it to you, right?

13 A. True.

14 Q. Okay. In fact, your -- your -- your attorney's here in
15 court today, isn't he?

16 A. True.

17 Q. Okay. And so you'd agree with me that you agreed with the
18 government that you were the leader?

19 A. And I've told you with who, sir.

20 Q. And you what? I'm sorry.

21 A. I told you with who.

22 Q. And you told me with who?

23 A. That's Deke, Hook and Little Tone.

24 Q. Okay. All right.

25 A. Took responsibility for that.

1 Q. Okay. And you told us that you had been previously
2 convicted of Carrying a Concealed Weapon, right?

3 A. 1985, sir.

4 Q. 1985?

5 A. Mm-hmm.

6 Q. And, in fact, on the day that you were stopped by the FBI
7 and the DEA, pulled over, over I think you said West
8 Bloomfield, right --

9 A. Yep.

10 Q. -- you had a 9mm handgun on you --

11 A. True.

12 Q. -- that day, right?

13 A. True.

14 Q. Okay. And you're a convicted felon, right?

15 A. True.

16 Q. And you knew you couldn't be in possession of a firearm,
17 right?

18 A. True.

19 Q. You know that's actually a federal offense to have a gun
20 if you're a convicted felon, right?

21 A. You're explaining it to me now, sir.

22 Q. Okay. You never knew that before?

23 A. No. I just -- if it was -- you got stopped by Detroit
24 Police, I just thought it would be a state case.

25 Q. Mm-hmm. Okay. And you know that's a state felony too,

1 right, Felon --

2 A. Okay.

3 Q. -- in Possession of a Firearm?

4 A. Yep.

5 Q. Okay. And you were never charged with that by the federal
6 government, were you?

7 A. No, sir.

8 Q. Because you immediately agreed to cooperate, right, that's
9 your understanding?

10 A. Yes, sir.

11 Q. Okay. And you had also been previously convicted of, you
12 said, just the marijuana charge?

13 A. Yes, sir.

14 Q. Okay. That was possession with intent to distribute
15 approximately 500 pounds of marijuana, correct?

16 A. No, sir. It was 68.

17 Q. Sixty-eight pounds?

18 A. Yes, sir.

19 Q. Okay. And when you got the prior concealed weapon charge,
20 you never went to prison, right?

21 A. No, sir. That was so long ago, sir.

22 Q. So the answer is, "No, I did not"?

23 A. Right.

24 Q. Okay. And when you got pulled over and charged with
25 possession with intent to deliver 68 pounds of marijuana, you

1 didn't go to prison for that either?

2 A. No. They came in at my brother's house. I didn't even
3 live here; I lived in Atlanta.

4 Q. Uh-huh. Okay. So your answer is, "No, I did not go to
5 prison for that"?

6 A. True.

7 Q. Okay. And, in fact, you had never gone to jail or prison
8 for any extended period of time in your entire life, correct?

9 A. True.

10 Q. Okay. And when do you say that you got involved in the
11 narcotics business?

12 A. I never did say when, sir.

13 Q. Well -- well, please, will you tell us?

14 A. I don't know. It's been dibbling and dabbling since I
15 been -- I don't -- I guess in the 20s, and I'm out of it and go
16 to work and go back and -- occasionally; it wasn't permanently.

17 Q. Okay. So when I previously asked you if you had been
18 involved in drug -- in the drug business your entire adult
19 life --

20 A. And I said no.

21 Q. -- and you said no, but now you're saying you dillied and
22 dallied in it since your 20s, right?

23 A. Yeah.

24 Q. Okay. And you're 53 now?

25 A. True.

1 Q. Okay. So for 33 years you've been involved in --

2 A. I wouldn't say --

3 Q. -- narcotics?

4 A. Sir, we had a trucking company from 2000 to 2007 and 8.

5 You can check. We was making \$400,000 a year. I didn't do no
6 dilly-dallying in 2003. I went to visit my brother, sir.

7 Q. Been a trucking company since when was that?

8 A. 1999 to be exact when I started.

9 Q. Long haul or short haul?

10 A. Whatever it took.

11 Q. Whatever it took.

12 Is that how you met the Mexican cartel people?

13 A. No, sir.

14 Q. What did you ship?

15 A. You say what?

16 Q. What did you ship in the trucks?

17 A. I shipped commodities, sir, of Ms. Fields cookies, frozen
18 foods. I had an account with Ms. Fields for one of them,
19 frozen food company out of New Jersey --

20 Q. Okay.

21 A. -- and anybody that I can get hired for for doing it, just
22 food, no drugs.

23 Q. No drugs?

24 A. None.

25 Q. Never hauled -- never hauled drugs?

1 A. Never.

2 Q. Okay. And I want to take -- I want to take you back to
3 this money seizure, okay, that we've talked about, the truck
4 that came out of your truck wash, all right?

5 A. Go ahead.

6 Q. Okay. So you found out that millions of dollars in money
7 was going to be transported or transferred to the Mexican drug
8 cartel, right?

9 A. Well, I knew -- excuse me -- I knew about it, sir, 'cuz I
10 got the wash for that particular reason, sir.

11 THE COURT REPORTER: I'm sorry, you got the what?

12 THE WITNESS: The wash, at the least the truck wash
13 for that particular reason, sir.

14 Q. You -- you had the truck wash for the purpose of unloading
15 and distributing kilos of narcotics, right?

16 A. Yeah. It was only one time, sir. Yes, sir.

17 Q. It was only one time?

18 A. Yes, for that wash, yes.

19 Q. Okay. So you're telling us that the only time that that
20 truck wash was ever used for narcotics was that one time?

21 A. True.

22 Q. Okay. And you knew that all this money was coming in the
23 truck wash, right?

24 A. Yes.

25 Q. And how is it that you knew that the money was coming into

1 the truck wash?

2 A. Because I talked to the SAs and I was a part of it, sir.

3 Q. You were a part of it?

4 A. Yes.

5 Q. And when you say SAs, you're referring to the cartel
6 members?

7 A. Yes.

8 Q. Okay. What does SA mean?

9 A. Spanish Americans.

10 Q. Okay. And is it your testimony that it was their money
11 that was coming in?

12 A. Yes.

13 Q. From who?

14 A. From -- from selling the drugs, sir.

15 Q. From selling the drugs.

16 A. Right.

17 Q. From the Mexicans selling the drugs?

18 A. No. Well, the Mexicans took a part of it and I took a
19 part of it.

20 Q. So your testimony --

21 A. Fifty-fifty.

22 Q. -- so your testimony is that the money, the millions of
23 dollars, was half yours and half the Mexicans?

24 A. Well, it was their money that was coming back to 'em that
25 I had went out there and made for 'em.

1 Q. So you made half of the millions of dollars, either 2 --

2 A. 1.5 and they made 1.5.

3 Q. They made 1.5?

4 A. Yes, sir.

5 Q. Okay. No one else was involved in that, that's your
6 testimony?

7 A. What do you mean, sir?

8 Q. No other parties were involved in that?

9 A. There was other parties involved.

10 Q. And who were they?

11 A. I can't explain, give you all their names --

12 Q. Why don't you --

13 A. -- because I don't --

14 Q. -- just give us the main names.

15 A. -- I mean because I don't know.

16 THE COURT REPORTER: Wait, wait, wait. You've got
17 to -- I can only take one of you at a time. So let him finish
18 his question --

19 THE WITNESS: Okay.

20 THE COURT REPORTER: -- and then you answer.

21 THE WITNESS: Okay.

22 A. Go ahead.

23 Q. Who were the primary names?

24 A. The primary names was Tony Anderson, Fred Tucker, then I
25 know nicknames, Lace, School and L.

1 Q. Lace, School --

2 A. And L.

3 Q. -- and L?

4 A. Yep.

5 Q. So the money was yours, it was these cartel guys, whoever
6 they are, and it was Tone Anderson, Fred Tucker, Lace, School
7 and L?

8 A. Yeah.

9 Q. That was all their money?

10 A. No, it wasn't all their money. That's -- you said who
11 helped me make the money, sir. Which one is it?

12 Q. Well, we can ask them one at a time so we make sure we get
13 it right.

14 A. Okay.

15 Q. Whose money was it?

16 A. It was the cartel's money, sir.

17 Q. It was going to the cartel?

18 A. Yes.

19 Q. And where was it coming from, who? Let me rephrase. Who
20 was it coming from?

21 A. It was coming from the guys who helped me sell it.

22 Q. From the guys who helped you sell it, and those --

23 A. On this side, yeah.

24 Q. -- and those are the people that you just listed?

25 A. Yeah. Could have been others too. I don't -- wasn't

1 around.

2 Q. Okay.

3 A. We just distributed it, sir.

4 Q. Okay. So you distributed the proceeds of this. You said
5 it was -- you said it was --

6 A. Are you saying proceeds for the money or the cocaine,
7 which one, sir?

8 Q. Okay. Well, let's -- let me ask you another question so
9 that we're crystal clear here, okay? You told us that a
10 hundred kilos of cocaine came in from the Mexicans, correct?

11 A. Yes.

12 Q. Okay. And that came into the truck wash that you were
13 leasing, correct?

14 A. True.

15 Q. And is it your testimony that half of that hundred kilos
16 went to you and your organization?

17 A. I wouldn't call it a organization, but, yes, half of it
18 came to me.

19 Q. And the other half, your testimony is, the Mexicans
20 carried on with?

21 A. True.

22 Q. Okay. And you and your people sold 50 kilos of cocaine?

23 A. True.

24 Q. Correct?

25 And then returned with how much, 1 -- you're saying

1 \$1.5 million in cash?

2 A. Yes.

3 Q. Okay.

4 A. Not to the wash because 10 days before the money was
5 already accounted for and pushed over to the cartel.

6 Q. Okay. And so you gave the \$1.5 million to the cartel some
7 days before the day the money was forfeited?

8 A. True.

9 Q. Okay. And then you knew that the money was going to come
10 back through the truck -- truck wash to be what, loaded onto
11 the truck?

12 A. True.

13 Q. Okay. And you were present, right?

14 A. True.

15 Q. And who else was present?

16 A. The gentlemens I just named, sir, except -- except Fred
17 Tucker.

18 Q. Except Fred Tucker?

19 A. Fred -- Fred Tucker. And it was also the cartel. It was
20 Fat SA I call him, it was another cartel guy and two more. The
21 guys had a .38 and a .45. I haven't saw 'em before. They're
22 coming to protect the money.

23 Q. They're armed with a .38 and a .45, pistols?

24 A. Yes, sir.

25 Q. Okay. And Tone Anderson was there?

1 A. True, watching the truck.

2 Q. But Fred Tucker wasn't there?

3 A. Nope.

4 Q. Okay. And the money was laid out on a table, right?

5 A. True.

6 Q. And what was done with it, if anything?

7 A. Well, it was two sides of the building, sir: One side
8 where the truck wash and it's another side where it's a pool
9 table, and the other tables sit up there like a little hall
10 area so it's a sitting hall, and the money was transferred out
11 the PT Cruiser and the other vehicle right onto the table and
12 they laid everything out.

13 Q. And who laid it out?

14 A. The SAs, cartel.

15 Q. The cartel laid it out?

16 A. Mm-hmm.

17 Q. And when you saw it, was it already marked with markings
18 on -- on it?

19 A. First -- first the cart -- the money was just there. Then
20 I guess they put it into the bags.

21 Q. You guess or you know?

22 A. No, I know. Well, they did put it into the bags.

23 Q. Okay. You saw them put it in the bags?

24 A. Okay.

25 Q. Did you?

1 A. Yeah.

2 Q. Yes?

3 A. Yeah.

4 Q. Okay. And were these bags already marked?

5 A. I think they was marking them at the time.

6 Q. Okay.

7 A. I wasn't really trying to stare what they was trying to
8 do, sir. It's two sides of the building and I already knew
9 that -- what I had planned.

10 Q. So your testimony is that you were on one side of the
11 building and they were on the other?

12 A. Well, in that particular time. You want me to be exact?

13 Q. I do.

14 A. Okay. And that's exactly what I'm saying.

15 Q. That's exact?

16 A. Right.

17 Q. Okay. So to be exact, you don't know how the money was
18 bagged because you weren't there, right?

19 A. Go ahead.

20 Q. Being exact.

21 A. Yeah, I go with you saying that.

22 Q. Okay. And you don't know how the money was marked, being
23 exact, right?

24 A. Yeah, because they was marking it. Go ahead.

25 Q. Okay. And being exact, you don't know how much money was

1 actually loaded into the truck?

2 A. Wrong.

3 Q. Wrong.

4 You know how much money was loaded into the truck?

5 A. I said I didn't see them packaging the money. I didn't
6 say I didn't see how much money it was.

7 Q. So you came back from the other side of the truck stop and
8 you watched and you counted all the money that was loaded into
9 the truck, is that your testimony?

10 A. Sir, when they took it out and when they brought it and
11 when we delivered it, I saw the 3 million beforehand. Well,
12 I'm not saying right from there, but I knew 1.5 and 1.5 is 3
13 million. At the same time the cartel told me we finished. So
14 when you finished, if you had a hundred kilos at \$30,000 a
15 piece, that's \$3 million. So at the same time when we give it
16 to them 10 days before time, that's one half, and then when
17 they finish, we got the other half, we have 3 million. So when
18 they brought it to the wash, they already -- well, that's the
19 3 million right here.

20 Q. I understand the math and I understand what you say you
21 were told, but you never counted this money, correct?

22 A. I didn't count -- I didn't count their half, sir, but
23 before that truck to come in to be picked up, I know all the
24 money had to be there, sir. It wasn't no shorts to this.

25 Q. Mm-hmm. I understand what you say you knew. I'm asking

1 you, because we're being exact, what you actually saw and what
2 you actually did, fair?

3 A. Fair.

4 Q. Okay. You didn't count the money, right?

5 A. I didn't count every dollar.

6 Q. You didn't see it bagged?

7 A. They bagged it, but I saw the money delivered, the 3
8 million.

9 Q. You saw that there was money put on the truck, is that
10 what you're telling us?

11 A. I -- yes, that the bags was put in there, yeah.

12 Q. Okay. And you told us that you were on the other side of
13 the truck wash for a period of time when this all was going
14 down, correct?

15 A. At the same time, sir, I told you I just didn't see them
16 put it in the bag and put this label on there in sequence.

17 Q. And there was another time when you'd already told us that
18 you went to the Burger King which was across the street,
19 correct?

20 A. Yeah, around the corner, around the bend, yes.

21 Q. So you weren't 24-7 with that money when those people were
22 there, right?

23 A. Just the times that I was from one side to the other, sir.

24 Q. Mm-hmm. And there were guys from the cartel there when
25 you weren't there at times, correct?

1 A. Yes.

2 Q. And there was Tone Anderson there, your guy, right?

3 A. True.

4 Q. And there was Lace, School and L that were there?

5 A. Yeah.

6 Q. Right?

7 A. Yes.

8 Q. And those people were all there at times when you weren't
9 there, we can agree on that, right?

10 A. True, sir.

11 Q. Okay. And --

12 A. But the money couldn't be delivered if it wasn't the
13 correct amount, sir.

14 Q. Oh, I understand that. That's why it had to be stopped by
15 the police, right, Mr. Jackson?

16 A. Mm-hmm.

17 Q. Exactly. Now, if something had happened, if you had
18 somehow tried to get this money yourself and it was in your
19 possession, you would have been held accountable by the cartel,
20 right?

21 A. True.

22 Q. And that would have been serious business, wouldn't it
23 have?

24 A. True.

25 Q. And while that truck was in the truck wash, it was your

1 responsibility, right?

2 A. No. It was the head cartel's responsibility, sir, that
3 they sent from Mexico and the head one in Michigan.

4 Q. If something went down at that truck wash --

5 A. It was on them.

6 Q. -- it was on them?

7 A. Right.

8 Q. Okay. Sir, do you remember when you -- being --
9 testifying at the grand jury and being asked this question?

10 MR. BUCKLEY: Which date, Mr. Harrison, please?

11 MR. HARRISON: Date, March 18th, 2015, page 14, line
12 11.

13 MR. BUCKLEY: Thank you, sir.

14 BY MR. HARRISON:

15 Q. Remember being asked the question, "Was the plan for them
16 to swoop in and raid the truck wash?" And you giving the
17 answer, "No. I didn't want that because there would have been
18 other individuals involved in that, and then with the cartel,
19 you got to understand that you're responsible for the money
20 while it's in your hands so you're responsible." You remember
21 being asked that question and giving that --

22 A. Yes.

23 Q. -- answer to the grand jury?

24 A. Yes. But when the cartel was there, sir, you got to
25 understand, they was the overseers. I'm just there.

1 Q. Okay. Did you ever tell the grand jury about the
2 overseers that you say were there?

3 A. What do you mean, sir?

4 Q. You ever testify about that to either grand jury you
5 talked to?

6 A. What do you mean? I mean tell me some more. I'm -- I'm
7 not understanding you right now.

8 Q. You're not understanding the question?

9 A. True.

10 Q. Okay. So let me see if I can ask it differently. Did you
11 ever say that there were cartel overseers at the truck wash to
12 either grand jury that you testified to?

13 A. I don't know exactly, but I already know that I already
14 mentioned that, regardless that they was there. That's the
15 only way it can be run. They had the money, sir. They had to
16 bring it in.

17 Q. Okay. And that's important that they were there because
18 otherwise, you and your people would have been in a position
19 where you could have stolen some of the money off the top and
20 then later blamed it on those dirty police officers.

21 A. You know --

22 Q. Right?

23 A. -- you know what? I don't understand what you're trying
24 to put me to, but at the end of the day, it was on them. I
25 know what I did for the police to do the rip, but at the end of

1 the day, it wasn't in my possession. The millions was in their
2 possession that they had to bring, sir. So --

3 Q. So --

4 A. -- they're responsible.

5 Q. -- is that a yes --

6 A. Once it got on that truck, once it got on that truck, none
7 of the people from Michigan or the cartel. Now it's on the
8 driver.

9 Q. -- or no?

10 A. Are you saying what?

11 Q. Was that a yes or no?

12 A. Because --

13 THE COURT: Well, you asked him an argumentative,
14 open-ended question and I think he could explain beyond yes or
15 no.

16 Let's move on.

17 BY MR. HARRISON:

18 Q. Sir, we heard a tape-recorded call that you gave the
19 government. By the way, when did you give the government that
20 tape-recorded call that we heard this morning?

21 MR. BUCKLEY: Judge, I -- I object to the form of the
22 question. That --

23 THE COURT: Sustained.

24 MR. BUCKLEY: Thank you.

25 THE COURT: Let's take our midday break. It's 11:28.

1 Let's try to make this compressed, ladies and gentlemen. Let's
2 start lining up at about 11:50 and we will -- we'll try to be
3 back here before noon and -- and get this moving along.

4 Let's all rise for our jurors please.

5 (Whereupon the jury was excused at 11:28 a.m.)

6 (Court in recess)

7 (Proceedings resumed at 11:56 a.m., all parties
8 present)

9 (Whereupon the jury entered the courtroom at
10 12:01 p.m.)

11 THE COURT: Okay. Our jurors are back, witness is
12 back. Everybody may be seated.

13 It's noon, ladies and gentlemen. We'll try to stay
14 on schedule and go til -- til 2:00 with one more break and then
15 we'll adjourn til tomorrow morning.

16 MR. HARRISON: May I continue, Your Honor?

17 THE COURT: Yes, please do.

18 MR. HARRISON: Thank you.

19 THE COURT: Thank you.

20 MR. HARRISON: Thank you.

21 BY MR. HARRISON:

22 Q. Okay. Mr. Jackson, this -- before we broke, you and I
23 were having some difficulties, all right? So what I want to
24 promise you is I'm going to let you finish your answer, all
25 right? I'd ask that you afford me the same courtesy, let me

1 finish my question, and we'll try and get through this easier
2 and give Linda an easier time making a record, okay? Is that
3 fair?

4 A. Yes, sir.

5 Q. Okay. All right. Sir, when we broke, I had asked you a
6 question and I had misspoke. I asked you when you gave the
7 government a copy of the recorded phone call. What I meant to
8 ask you is when did you give the government the copy that you
9 had of the recording of the meeting that you had with Sergeant
10 Hansberry and Watson and other members of the police department
11 where they paid you the \$250 premium bonus payment?

12 A. It was earlier this year, sir.

13 Q. Earlier this year?

14 A. Yes, sir.

15 Q. Okay. 2016?

16 A. Yeah. Yes, sir.

17 Q. Okay. And you had been initially stopped and -- and spoke
18 with the federal agents back on June 25th, 2014, right?

19 A. July.

20 Q. July?

21 A. Yeah.

22 Q. Okay.

23 A. 2000 --

24 Q. I -- okay. I -- so you gave -- and you met with them
25 since then numerous times, correct?

1 A. Yes, sir.

2 Q. All right. And you've given statements to FBI agents on
3 more than one occasion, correct?

4 A. True, sir.

5 Q. Okay. And you -- you only mentioned this recording
6 existed this year in 2016?

7 A. No. When I was stopped, sir, I know I had a recording. I
8 just couldn't find it, I misplaced it. It was a CD and it was
9 placed under Blue Jay Z. So I have moved three times --

10 Q. Mm-hmm.

11 A. -- but was trying to find it, so my wife found it one day.

12 Q. Okay. And one day this year, 2016?

13 A. Yeah, earlier this year, sir.

14 Q. Okay. And you -- you told us that you recorded the police
15 officers because you -- you -- you felt that you couldn't trust
16 them, correct?

17 A. True.

18 Q. Okay. And you told us that after this money seizure
19 incident, there were other occasions where you met with them,
20 correct?

21 A. True.

22 Q. And you told us that -- and one occasion you met with my
23 client and Mr. Watson and Mr. Leavells at a park in Detroit,
24 Voigt Park I think, right?

25 A. Several times.

1 Q. Several times?

2 A. Mm-hmm.

3 Q. And you told us that they provided you with heroin to
4 sell, correct?

5 A. On occasions, yeah.

6 Q. On occasions.

7 A. At times, yes.

8 Q. Okay. More than once?

9 A. No. I'm just saying right there, yeah. I'm not saying
10 every time we met they gave me drugs or anything. We talked.

11 Q. Okay. Well, I'm referring specifically to the time you
12 told us about on -- you told the prosecutor about where you met
13 at Voigt Park I think, right?

14 A. Voigt park, yes, sir.

15 Q. And you told us that they provided you -- someone provided
16 you heroin that day, right?

17 A. Not someone. They provided me and Watson pulled up with
18 it. It was one kilo and I think 300 to 400 grams in a private
19 package.

20 Q. Okay. And -- and you met at the park for purposes of
21 handing off this kilo to you to sell, correct?

22 A. Yes. That was our meeting spot, sir.

23 Q. Okay. And then you told us about another time where your
24 associate, Fred Tucker, Deke, worked with these officers and
25 Officer Leavells to set up a guy named Don, correct?

1 A. True, sir.

2 Q. And your involvement, though you weren't there, was you --
3 you were part of it directly?

4 A. I put them together, sir.

5 Q. Okay. Remember, I -- we'll -- let's --

6 A. Oh --

7 Q. -- just try and pause --

8 A. Okay.

9 Q. -- just for her sake.

10 A. All right. Okay.

11 Q. Okay. So you put Don -- or, I'm sorry, Deke, Fred Tucker
12 together with the police for purposes of robbing this Don
13 person of his money, correct?

14 A. True.

15 Q. And part of the plan was to provide this Don person with
16 fake cocaine, that's what your testimony is?

17 A. Well, that's what it was supposed to do. He was supposed
18 to take the 40,000, purchase a brick from whoever was pulling
19 up, so that was either Curly, Watson or Hansberry, one of them,
20 and they was supposed to pull up with the police car with
21 the -- going, and, you know, while Deke went from one car.
22 This was explained to me. I wasn't there, sir.

23 Q. Right.

24 A. Okay.

25 Q. You were at the hotel, right?

1 A. Yes, sir.

2 Q. And Mr. Buckley showed you a receipt I think of a hotel
3 room?

4 A. True.

5 Q. And that was the hotel room that you -- you got, right?

6 A. Yes, sir.

7 Q. And the purpose you say of you getting that hotel room was
8 to split up the proceeds?

9 A. True, sir.

10 Q. Okay. And you were there for that part, right?

11 A. Yes, sir.

12 Q. Okay. And this was involving the same three police
13 officers that were involved you say in the Voigt Park heroin
14 exchange, right?

15 A. True.

16 Q. And the same police officers that you met with after the
17 seizure of the truck money, correct?

18 A. After the seizure of the truck money? No, sir.

19 Q. When you received your --

20 A. I -- go ahead.

21 Q. I --

22 A. Go ahead. Sorry about that.

23 Q. I don't want to get yelled at by her.

24 A. All right. We both don't.

25 Q. Okay.

1 THE COURT REPORTER: You're going to also.

2 THE WITNESS: All right.

3 Q. Okay. So say it again so I've got it clear please, your
4 answer.

5 A. You said after the seizure. The hotel after the seizure
6 was in Romulus where I was waiting for him, not in -- on
7 Telegraph in Southfield.

8 Q. Different hotel room?

9 A. Not room; location altogether, sir.

10 Q. Fair enough. Same three?

11 A. Yeah.

12 Q. Okay. All right. Sir, did you turn over recordings of
13 the Voigt Park incident or the meeting after the rip-off of Don
14 to the government?

15 A. I didn't have any, sir.

16 Q. You didn't have any?

17 A. This was six years ago.

18 Q. You didn't make it. Okay.

19 Even though you told us that you already didn't trust
20 them so much that you recorded them the first time, you didn't
21 bother to make them --

22 A. Well, sir --

23 THE COURT REPORTER: Wait. I didn't hear that last
24 part.

25 THE WITNESS: Go ahead.

1 THE COURT REPORTER: "You didn't bother to make
2 them..."

3 BY MR. HARRISON:

4 Q. Make recordings on the subsequent meetings?

5 A. The reason why I didn't --

6 Q. Well, my question was did --

7 A. Well, I didn't -- no, I didn't make other recordings, sir.

8 Q. Okay. All right. Now, we talked a bit about some names
9 that are mentioned in your Cooperation Agreement. You recall
10 that?

11 A. Yes, sir.

12 Q. All right. And one of those names was a -- a William
13 Campbell, right?

14 A. Go ahead.

15 Q. Yes?

16 A. Yes.

17 Q. Okay. And William Campbell is you said not an employee of
18 yours, correct?

19 A. True.

20 Q. He's an associate of yours, correct?

21 A. True.

22 Q. All right. And William Campbell's also known as Old
23 School, correct?

24 A. No.

25 Q. He's not?

1 A. No.

2 Q. Okay. And you know an individual by the name of Old
3 School though, right?

4 A. Yeah. School, yeah.

5 Q. And who's that?

6 A. I don't know. That's all I know him as, sir.

7 Q. That's just -- that's the School person that you talked
8 about earlier?

9 A. Yep.

10 Q. Okay. And you tell us that School or Old School was at
11 the car wash --

12 A. True.

13 Q. -- on the day in question, correct?

14 A. True.

15 Q. Okay. And you have -- you have a nephew whose name is
16 Ronald Jackson, correct?

17 A. True.

18 Q. And his nickname is Little, correct?

19 A. Yeah. He got a few nicknames, yes, sir.

20 Q. That's one of them?

21 A. Mm-hmm.

22 Q. Okay. And, sir, isn't it true that you believed that
23 School or Old School and Little were actually the ones who got
24 the Mexicans for that money?

25 A. No.

1 Q. You ever have a conversation with Deke or Fred Tucker
2 where you told him that you should have taken that money
3 yourself, that Old School and Little got the Mexicans and you
4 didn't get yours?

5 A. No, sir. Now, if you want me to explain, it was all doing
6 for me. Little --

7 Q. Time out please. No, sir was your answer?

8 A. What? No.

9 Q. No, sir was your answer?

10 A. No.

11 Q. Okay.

12 MR. HARRISON: Could we please play --

13 BY MR. HARRISON:

14 Q. You -- and you know that your telephone was tapped by
15 the D -- DEA, correct?

16 A. Go ahead.

17 Q. Okay.

18 MR. HARRISON: Can we please play May 6th, 2014 at
19 8:25 a.m.?

20 MR. BUCKLEY: Is -- is this an exhibit? I don't know
21 that this is an exhibit. I don't know for what purpose this is
22 being played.

23 MR. HARRISON: Impeachment, Your Honor.

24 THE COURT: Well, let's get it worked out.

25 (Audio clip being played at 12:12 p.m.)

1 BY MR. HARRISON:

2 Q. You recognize the voices on there?

3 A. No, not really.

4 Q. You don't?

5 A. No.

6 Q. It's not you?

7 A. Turn it up a little bit.

8 Q. Sorry?

9 A. Turn it up a little bit.

10 Q. Okay.

11 MR. HARRISON: Start it over.

12 (Audio clip being played at 12:12 p.m.)

13 Q. You recognize the voice of the person you're speaking to
14 as Frederick Tucker?

15 A. Okay.

16 Q. Yes?

17 A. That's Fred Tucker, yes.

18 Q. That is?

19 A. Yes.

20 Q. And you, correct?

21 A. I really couldn't tell honestly if that was me, sir. I'm
22 just being honest.

23 Q. Fair enough.

24 MR. HARRISON: Continue please.

25 MR. BUCKLEY: Well, Judge, I think we have an

1 authentication problem then.

2 THE COURT: Sustained.

3 MR. BUCKLEY: Thank you.

4 THE COURT: There's no foundation for the playing of
5 the tape.

6 MR. BUCKLEY: Thank you, Your Honor.

7 BY MR. HARRISON:

8 Q. Okay. So your testimony is that you never told Fred
9 Tucker that Little and Old School actually sold -- stole that
10 money from the Mexicans?

11 MR. BUCKLEY: Asked and answered, Your Honor.

12 THE COURT: Overruled. Answer that if you can,
13 witness. Go ahead.

14 THE WITNESS: Never. It was my idea, sir,
15 100 percent, so why would I say that? Now, seriously.

16 BY MR. HARRISON:

17 Q. And you never said to Frederick Tucker that next time
18 you're just going to do it yourself?

19 A. I can't recall that, sir. What I said to him, that I know
20 this deal came from me, sir, without no knowledge of Little,
21 Old School or anyone.

22 Q. Sir, you are aware, are you not, that the DEA raid --
23 raided Deke and Fred Tucker's home prior to you being stopped?

24 A. You said Deke and Fred Tucker. They're the same person,
25 sir.

1 Q. Correct. You're aware that he was raided, 2424 Glynn,
2 right?

3 A. No, he wasn't raided there, sir.

4 Q. Are you aware that he was arrested prior to you being
5 stopped by the DEA and the FBI?

6 A. Yes.

7 Q. And you were aware of it shortly after it happened, right?

8 A. True, sir.

9 Q. Okay. So you knew that it was only a matter of time
10 before they were going to come and say hello to you?

11 A. Yes, sir.

12 Q. Right?

13 A. That's fair.

14 Q. Okay. And that's why when they came and they stopped you
15 on -- it was July 25th, 14, right?

16 A. Yes, sir.

17 Q. Okay. You immediately agreed to cooperate, right?

18 A. True.

19 Q. And you immediately told them, and in great detail, what
20 you say these police officers did, right?

21 A. Yes, I was telling them what the police was -- had done
22 and robbed me for the \$900,000.

23 Q. Right.

24 A. And they was corrupt, yes, sir.

25 Q. Right. Because you knew that that was your trump card,

1 right?

2 A. It's not so much as a trump card, sir. It's just being
3 truthful and honest about dishonest police officers.

4 Q. And that's what you try and be, truthful and honest?

5 A. That's what I'm doing right now, sir.

6 Q. And, sir, you would agree with me that you had far more
7 contact with Police Officer Arthur Leavells than you ever did
8 with Mr. Watson or Mr. Hansberry is that fair?

9 A. I'd say 60/40.

10 Q. 60/40.

11 When your guy, Mr. Tucker, had a gun to his head from
12 Dante Mitchell, Arthur Leavells is who you called, right?

13 A. True. I wasn't in conversation with Watson or Hansberry.
14 I kept going through Curly unless we all meet up together, sir.

15 Q. Curly was your handler, right, when you weren't working
16 for the FBI, right?

17 A. Yes, he was the one I reported to mostly.

18 Q. Okay. And when a family member of yours would get in
19 trouble, he's who you'd call, right?

20 A. Well, my son got in trouble before, sir, yeah.

21 Q. Your son Gary?

22 A. The Third.

23 Q. The Third.

24 How many sons do you have?

25 A. Three.

1 Q. Three.

2 And what are their names?

3 A. Gary, Gary and Gary.

4 Q. And Gary, III being -- meaning the third -- the youngest?

5 A. No. Gary is the youngest. I have Gary, Jr., Gary, III.

6 It's by two different women.

7 Q. Okay. And when Gary, III got in trouble carrying a gun,
8 right?

9 A. True.

10 Q. Okay. You called Arthur Leavells, right?

11 A. True.

12 Q. Okay. And when your daughter's brother Ben-Ben got in
13 trouble, you called Arthur Leavells, right?

14 A. True.

15 Q. Okay. And when Ben-Ben got in trouble, he was charged
16 with Felony Firearm Second, right?

17 A. I don't know exactly what it was, but yeah, I know it was
18 a gun charge, sir.

19 Q. Okay. A serious gun charge, fair?

20 A. Just a gun charge to me.

21 Q. Okay. And you called Curly, right?

22 A. True.

23 Q. Did you know who arrested Ben-Ben?

24 A. DPD.

25 Q. Did you know if it was Officer Hans -- Sergeant at the

1 time Hansberry?

2 A. No.

3 Q. You had no idea?

4 A. Honestly.

5 Q. Okay. And you -- you learned at some point though that in
6 order for something to possibly happen with Ben-Ben's case,
7 he -- he was going to have to provide information, fair?

8 A. Who was?

9 Q. Ben-Ben.

10 A. Provide information about -- go ahead, yeah.

11 Q. To the police.

12 A. Okay.

13 Q. Yes?

14 A. I can't really say yes because what type of information
15 are you talking about?

16 Q. Okay. You're aware that you -- you agreed with Curly to
17 plant fake drugs in an abandoned house, correct?

18 A. True.

19 Q. And that was to help Ben-Ben, right?

20 A. True.

21 Q. Okay. And you worked together with Arthur Leavells on
22 that, correct?

23 A. True.

24 Q. Not with Mr. Hansberry, Mr. Watson, correct?

25 A. True.

1 Q. In fact, Arthur Leavells wasn't even working with either
2 of them at that point, right?

3 A. I don't think he was, sir.

4 Q. Okay. And you and Arthur Leavells discussed and agreed
5 that he would get a search warrant and hit that Whitewood
6 house, right?

7 A. True.

8 Q. And that would obviously be a false search warrant, right?
9 It would have to be lies in there, right?

10 A. What do you mean, a false search warrant?

11 Q. Well, you knew that in order to get a search warrant, I
12 mean you knew that an officer has to go and put his hand up?

13 A. I don't know --

14 Q. You don't know anything about that?

15 A. -- when they do that, but I know he had the search
16 warrant.

17 Q. Okay. All right. And there was a gun that you put up
18 there too, right?

19 A. I can't be exact. I know it was cocaine, heroin and weed.

20 Q. Mm-hmm. You don't remember about the gun?

21 A. I can't recollect on that one, sir.

22 Q. So you --

23 A. It might have been the gun. I don't know. I'm just being
24 honest.

25 Q. Fair enough.

1 A. All right.

2 Q. So you don't know where the gun would have come from if
3 there was one?

4 A. No.

5 Q. Okay. And you paid Arthur Leavells \$5,000 to take care of
6 that thing with Ben-Ben, right?

7 A. True.

8 Q. Okay. What happened to Ben-Ben?

9 A. He's in prison now, sir.

10 Q. For that gun charge, right?

11 A. Yep.

12 Q. It wasn't a good investment, was it?

13 A. I didn't invest the money, sir.

14 Q. Did you come to learn that Mr. Hansberry quashed that?

15 A. That he did what?

16 Q. That he made sure that Ben-Ben didn't get credit for that
17 Whitewood rip?

18 A. I -- you telling me something new right now.

19 Q. You didn't know that?

20 A. No, sir.

21 Q. Okay. And, in fact, after that first cash seizure, Mr.
22 Hansberry arrested a number of your associates, didn't he?

23 A. I don't have no recollection of that, sir.

24 Q. Would it be fair to say that from the very beginning, you
25 and Mr. Hansberry had a rocky relationship?

1 A. No, sir. Never saw him, never met him, never talked to
2 him, no acknowledgement of him at all.

3 Q. Well, good. Okay. Thank you.

4 A. Can I say something, sir?

5 THE COURT: Not your turn, witness.

6 Go ahead, Mr. Harrison.

7 THE WITNESS: Okay. Sorry. I'm sorry.

8 BY MR. HARRISON:

9 Q. All right. Now, you -- you told -- you told us a little
10 bit about a situation with Dante, this guy you knew as Dante
11 that had the gun to Mr. Tucker's head, okay? Now, you
12 called -- you told us that you called Arthur Leavells when it
13 was going on, right?

14 A. True.

15 Q. Okay. And after that you talked to Calvin Turner, right?

16 A. True.

17 Q. He was free, right?

18 A. True.

19 Q. And you had discussions with Mr. Turner about what he
20 should say in court, right?

21 A. You said Mr. Turner or Mr. Tucker?

22 Q. Tucker, Tucker. Thank you.

23 A. Okay. Yeah, I just told him, you know, tell the truth,
24 write it down, go over it, just remember it if you can't
25 remember it. Yeah, I told him that.

1 Q. You told him to tell the truth?

2 A. Well, yeah. I mean the truth is remembering and then
3 writing it down, isn't it?

4 Q. Sir, isn't it true that you talked to Arthur Leavells to
5 find out what Fred Tucker should say in court?

6 A. I can't recall that, sir.

7 Q. Isn't it true that you told Mr. Tucker that he should say
8 that he knew Dante for a longer period of time than he really
9 did?

10 A. I can't recollect that, you know. It wasn't an everyday
11 thing talking about that, sir.

12 Q. Isn't it true that you told Mr. Tucker that he should say
13 that he knew him longer so you could put the drugs that were
14 seized from the Glynn Street house on Dante?

15 A. I can't recall that, sir, 'cuz it -- what are you -- is
16 it -- it's -- which one are you talking about because from
17 Deke's house on Glynn and you talking about -- it's two
18 different incidents, sir, so I don't know. One's DPD and one
19 was DEA.

20 Q. Okay. And you talked to Johnnie Metcalf about this
21 situation with Dante?

22 A. He was -- he was right there and then was took hostage.

23 Q. And you talked to him afterwards about what he should say
24 about what happened too, right?

25 A. Well, I talked to him but I can't recall what I talked

1 about, sir.

2 Q. You think listening to a conversation of you talking to
3 Tucker and Metcalf would refresh your mem -- recollection as
4 to --

5 A. Go right ahead, sir.

6 MR. HARRISON: This is DEA wiretap, May 3rd, 2014,
7 11:43.

8 MR. BUCKLEY: Thank you.

9 (Brief pause)

10 (Audio clip being played at 12:27 p.m.)

11 BY MR. HARRISON:

12 Q. You recall that conversation?

13 A. Yes, sir. Yeah.

14 Q. Okay. And in that conversation, sir, you and Mr. Tucker
15 are talking about putting the drugs that was in Mr. Tucker's
16 house on Dante, right?

17 A. On Dante? Well, no, I wasn't talking about putting them
18 on him, sir. At the end of the conversation, you got to
19 understand, if somebody was talking about, like I say, killing
20 him for \$500 or whatever the payment was, you know, you got to
21 understand, he was wrong, he was wrong totally. Maybe I was
22 wrong for telling Mr. Tucker, you know, and talking to him.
23 But far as this, I don't understand what this has to do with
24 them.

25 Q. Well, what it has to do with, sir, is perjury and

1 obstruction of justice.

2 A. Oh. Well, I didn't have him perjure myself, sir.

3 Q. Okay. You know encouraging someone else to perjure
4 themselves is a crime as well?

5 A. What do you mean? I talked to him one-on-one, sir.

6 Q. Okay. But you're here today to tell the truth, right?

7 A. Yes, I am, sir.

8 Q. Okay.

9 MR. HARRISON: Thank you.

10 THE COURT: Okay. Mr. Fishman's turn is now. Go
11 right ahead.

12 CROSS-EXAMINATION

13 BY MR. FISHMAN:

14 Q. Mr. Jackson, do you -- do you consider yourself to be an
15 honest man?

16 A. Yes, I do, Mr. Fishman.

17 Q. And you base that on your dealings with people throughout
18 your life, correct?

19 A. Yes, sir.

20 Q. And you're the type of guy, at least in your opinion, that
21 when you give somebody your word, your word is good, right?

22 A. In most cases, yes.

23 Q. And what types of cases would you say are the cases where
24 your word isn't good, what types of situations?

25 A. With dishonest police officers.

1 Q. So lying to police officers would be the only lies that
2 you've ever told?

3 A. No. I take a man as -- to know him, hisself. So when you
4 do something wrong to me, that makes me don't like you anymore.

5 Q. Okay. I'm not asking you about your relationship with the
6 police. I want to know, sir, you say you're an honest man --

7 A. I'm saying that anybody --

8 Q. You -- you have to let me finish and then you can talk.
9 You got it?

10 A. Go ahead.

11 Q. You say you're an honest man in most situations. Aside
12 from dealings with police officers, my question is what kind of
13 situations are there where you're not honest?

14 A. Sir, I'm honest, I'm telling you here now. And like I
15 say, if you do something to me, well, that goes right out the
16 window.

17 Q. Okay. You -- you'd agree with me, wouldn't you, Mr.
18 Jackson, that the drug business is filled with dishonesty and
19 lies?

20 A. I'm not going to agree to that, sir.

21 Q. You think that most people that you've been involved with
22 in the drug game are -- are honest people?

23 A. And like I said, I have to know you, sir. You're
24 assuming, and assuming is not me, sir. I like to know somebody
25 personally.

1 Q. Okay. So your testimony is that -- you -- you know a lot
2 of people personally that have been involved in the drug game,
3 right?

4 A. No different than you, sir.

5 Q. I'm not sure what that means, but my question is you know
6 a lot of people that have been involved in the drug game,
7 right?

8 A. Yes, sir.

9 Q. And you're saying and you're telling us that you have not
10 found it to be true that people in the drug game routinely lie?

11 A. It's who you deal with, sir, and that's what I'm going to
12 stand onto.

13 Q. Okay. So Fred Tucker, for instance, he -- he's a truth
14 teller as far as you know?

15 A. He's been a good guy with me.

16 Q. My question is, is he a truth teller as far as you know?

17 A. Yes, sir.

18 Q. And Calvin Turner, he's a truth teller, right?

19 A. As far as I know, yes, sir.

20 Q. You don't have any idea sitting here today what either or
21 both of them testified to in front of this jury in this trial,
22 do you?

23 A. No, sir.

24 Q. And you personally, unless someone did something to you,
25 you don't make it a habit of doing anything to anybody else,

1 correct?

2 A. Well, I don't come in in meeting somebody thinking
3 negativity; it's always positive. And if you do something to
4 me, like I said, sir, then I find you dishonest and I go from
5 there.

6 Q. Okay. But my question is, sir, you're -- you're telling
7 us, aren't you, that in general, even in the drug game, you
8 assume everybody's honest til they do something to you?

9 A. True.

10 Q. And you don't believe that the nature of the narcotics
11 game, of the drug game, encourages people to lie, people to
12 cheat, people to steal, you haven't found that in your
13 experience?

14 A. No, sir.

15 Q. Okay. Now --

16 A. If it happens, it happens.

17 Q. Now, listening to the direct examination, it sounds like
18 you told us you have a cousin on the Wayne County Sheriff's
19 Department, is that true?

20 A. No, she's not a cousin. I was just telling them that.

21 Q. I thought you told us that.

22 A. Well, no.

23 Q. Didn't you say --

24 A. I said a friend. That's not a family, it's a friend.

25 Q. Is this --

1 A. I just told them on the tape it was a cousin.

2 Q. Okay. So I'm asking you now in front of the jury, was --
3 is the lady your cousin or not?

4 A. She's not my cousin.

5 Q. All right. She's someone that you brought with you and
6 you pretended she was a Wayne County sheriff?

7 A. No, she -- it wasn't no pretending; she was.

8 Q. You pretended she was your cousin?

9 A. She pretend that, right.

10 Q. And this is someone that you're not related to but you're
11 friendly enough with that you asked her to come with you and
12 she came?

13 A. True, because I was scared of the officers trying to rob
14 me again.

15 Q. I -- I understand, sir, and I understand that every
16 question I ask you're going to bring up the police. But I'm
17 just trying to ask you specific questions and see if you can
18 give me specific answers, okay?

19 A. Well, I have to answer it how I feel, sir.

20 Q. Well, just try to answer it as specifically as possible,
21 all right?

22 A. I will.

23 Q. All right. So the Wayne County sheriff that you brought
24 with you, did you tell her that you were involved in drug
25 trafficking at the level that you were involved?

1 A. Did I tell her? No, she already knew.

2 Q. You're -- the Wayne County sheriff that went with you to
3 the meeting at the hotel or motel --

4 A. Right.

5 Q. -- knew you were a drug dealer at the level that you were?

6 A. Yes, sir.

7 Q. And what department, what assignment did she have at the
8 Wayne County Sheriffs, do you know?

9 A. Not exactly. I just knew she was a Wayne County sheriff,
10 sir.

11 Q. Did -- did you know whether or not she ever went to
12 anybody else in the sheriff's department and said, "Hey, I've
13 got a friend of mine, this guy's a huge dope dealer up in the
14 North End"? Do you know whether she ever did that?

15 A. I wasn't from the North End, sir.

16 Q. Okay. But wherever you were from.

17 A. Okay. I don't know if she did it, sir.

18 Q. You -- you assume, do you not, that you were friendly
19 enough with her that you could bring her to this event, with
20 her knowing you were a drug dealer, and she wouldn't go tell
21 some other police agency about you?

22 A. It wasn't a drug deal going down, sir. It was money
23 transferred from the Detroit Police Department, and I didn't
24 want nobody else there from the Detroit Police Department
25 because I know what just occurred, sir.

1 Q. You told us that you had some kind of relationship with
2 Benny Napoleon, right?

3 A. It's just talking. He sent some people to my mother's
4 funeral and I respected him for that because he had a
5 relationship with my father-in-law, his father, years ago in
6 Tennessee.

7 Q. Are -- are you saying that you and -- and Mr. Napoleon
8 were friends?

9 A. No.

10 Q. Are you saying you ever had any contact with him other
11 than seeing somebody at a funeral or something like that?

12 A. No, sir.

13 Q. You're -- you're -- you're certainly not saying, are you,
14 that you were close to Benny Napoleon, are you?

15 A. No.

16 Q. Because you know he was -- you know he was the Chief of
17 Police in Detroit, correct?

18 A. Correct.

19 Q. You know he's the Wayne County Sheriff, correct?

20 A. Well, that's what he is now.

21 Q. Yeah.

22 A. Yeah.

23 Q. And you know that, right?

24 A. Right. In 96, sir, he helped escort my mother with a
25 police escort and that was wonderful for me.

1 Q. You indicated that you had a relationship or you were able
2 to have a meeting with Ralph Godbee who was the Chief of Police
3 at the time, correct?

4 A. Yes, in Troy.

5 Q. And you met with him through Derrick Coleman, the ex-ball
6 player, correct?

7 A. True.

8 Q. And you got with Derrick Coleman because you knew him or
9 because Calvin Turner knew him?

10 A. Well, that was Calvin Turner's family, but I know him too.

11 Q. And you knew him for a long time, correct?

12 A. True.

13 Q. And did you tell Derrick Coleman that the reason you
14 wanted to meet with Godbee was there was all kind of crookery
15 going on with the police department?

16 A. Yeah, I had to get to somebody over their heads, sir.

17 Q. Did you tell Derrick Coleman that?

18 A. Yeah.

19 Q. And he arranged a meeting with Chief Godbee, right?

20 A. True.

21 Q. And when you met with Chief Godbee, did you tell the chief
22 about the entire heist, the entire theft of the money?

23 A. True.

24 Q. And did you tell Chief Godbee, the Chief of Police, did
25 you tell him that you, Gary Jackson, were in the middle of all

1 of this large amount of cocaine and large amount of money?

2 A. Well, I told him I was in the process of doing it. I did
3 everything for the money; the cocaine, delivery and everything.
4 I didn't go into specifics with him about that, but I told him
5 about the seizure of money.

6 Q. Did you tell the chief that you, Gary Jackson, were in the
7 process or had been dealing cocaine at these kilogram levels?

8 A. My conversation with him is about corrupt police officers
9 that just took 900,000, that I just put \$3 million on the
10 table, sir.

11 Q. All right. And my question to you, sir, is did you tell
12 the chief that you were in the middle of it, you weren't just
13 an informant, you were the dope dealer, did you tell him that?

14 A. I told him what I just told you, sir.

15 Q. Which means you didn't --

16 A. I told him about money and them police officers taking the
17 money, sir.

18 Q. All right. So you did not --

19 A. But I told him I'm responsible for the seizure.

20 Q. You did not tell him though that you were the person who
21 helped sell a lot of these kilos -- just wait -- you were the
22 person who helped sell a lot of the kilos and you were there
23 when the money was loaded up and some of this money belonged to
24 friends of yours and was going to the cartel. Did you tell him
25 you were in the middle of all that?

1 A. I was on a pacific conversation, sir, and the pacific
2 conversation was that these police officers robbed me for
3 \$900,000. That's what this conversation was about. I didn't
4 go into no other details, sir. It was about him having crooked
5 police officers in his department.

6 Q. And so your answer to my question is you did not tell the
7 chief that you were the person that was involved in the --

8 A. I don't know how --

9 Q. You have to let me finish, sir.

10 You did not tell Chief Godbee -- I heard what you
11 said you said.

12 A. But that was the answer.

13 Q. But my -- my question is, and it still is, you did not
14 tell the Chief of Police that you were the dope dealer, did
15 you?

16 A. Sir, I -- I answered this question once. How many times I
17 got to answer same question?

18 Q. As soon as you answer.

19 A. I told him that -- I told him pacifically what I was here
20 for, sir, and I'm trying to -- I can't change it no more than
21 that. Corrupt police officers was the case that I came for,
22 not being a drug dealer, not for having possession of drugs or
23 anything, sir. That's what it was.

24 Q. You realized you were talking to the Chief of Police
25 obviously, right?

1 A. Yes, sir.

2 Q. That was --

3 A. That's why -- that's why I called for the meeting.

4 Q. That was your point, right?

5 A. True.

6 Q. And you've told us -- this is the last time I'm going to
7 ask you and you answer it whatever way you want -- you didn't
8 tell him that you're the dope dealer, did you? That's simple,
9 yes or no?

10 A. No, sir.

11 Q. All right. Now, I noticed that you -- you -- you've used
12 the word "sir" many times when you're talking to Mr. Buckley
13 and Mr. Harrison --

14 A. I'm just -- I'm just polite like that.

15 Q. Mr. Jackson, we're going to have to figure this out. I'm
16 going to finish the question and you're going to finish the
17 answer.

18 A. True.

19 Q. And if you don't let me finish the question, we'll never
20 get to your answer. You got it?

21 A. Yes, sir.

22 Q. You've used the word "sir" all throughout this day, and
23 you've just said it's because you're polite. Is that the way
24 you talk in the street?

25 A. No.

1 Q. The way you talk in the street --

2 A. But it depends who I'm talking to, sir.

3 THE COURT: Listen, witness. Listen to him --

4 THE WITNESS: Okay.

5 THE COURT: -- ask you and we'll move on. All right.

6 BY MR. FISHMAN:

7 Q. The way you talk in the street is more similar to what we
8 heard on the couple of tape recordings, correct?

9 A. It's who I'm talking to, sir.

10 Q. Right. So if you're talking in court where there's a
11 judge and a jury and lawyers, you call people sir, correct?

12 A. Outside of here too, sir.

13 Q. Okay. All right. So, Mr. Jackson, putting aside all the
14 things you're saying about the police, there came a time where
15 one of your associates got stopped on the expressway with a
16 large amount of cocaine, true?

17 A. I can't recall that. You said a large amount of cocaine
18 on the freeway?

19 Q. Right.

20 A. You have to bring this up to my attention.

21 Q. Do you remember Tone Anderson getting arrested?

22 A. Oh, me and Tone Anderson, we didn't have a relationship
23 when he got stopped.

24 Q. You had no relationship?

25 A. We had a talking relationship but we didn't have -- that

1 didn't have anything to do with me, sir.

2 Q. So what he got stopped with, whatever it was, had nothing
3 to do with you?

4 A. Positively, sir.

5 Q. Okay. You told us that there came a time where the FBI
6 approached you, am I right?

7 A. True.

8 Q. And you told Mr. Harrison that that was after you learned
9 that Mr. Tucker had been either arrested or approached by the
10 FBI, correct?

11 A. It was the DEA and the FBI, sir.

12 Q. The feds let's say, okay?

13 A. Yes, sir.

14 Q. All right. And that was after Mr. Tucker had been
15 approached by the feds, correct?

16 A. True.

17 Q. And when they came to see you, do you remember when that
18 was exactly?

19 A. Yeah. July the 25th on a Friday.

20 Q. Of 2000 and?

21 A. 2000, I think it was 14, 13, something like that.

22 Q. All right.

23 A. I can't be exact.

24 Q. And when they came to see you, before they said anything,
25 did you know you had been the subject of a -- a federal

1 wiretap?

2 A. I didn't know that I was on a wiretap, no, I didn't.

3 Q. All right. And did they tell you that day that they had
4 wiretapped conversations of yours?

5 A. True.

6 Q. And you talked on the phone quite a bit, didn't you?

7 A. I did what, sir?

8 Q. Talked on the phone quite a bit.

9 A. Yes, sir.

10 Q. So you knew when they were talking to you that if they
11 were listening to your conversations, the odds were pretty good
12 that they were hearing conversations about drugs, right?

13 A. True.

14 Q. Even though you don't use the word cocaine or heroin and
15 you call them boy and girl or birds or whatever you all call
16 it, you knew that you'd been talking about drugs with some of
17 your associates while there was a wiretap, correct?

18 A. I didn't know it was a wiretap but I knew I was on the
19 phone talking, sir.

20 Q. I'm talking about as soon as you were informed that there
21 was a wiretap, you knew that you had been talking to your
22 associates about drugs in whatever code you all use, true?

23 A. True, sir.

24 Q. Okay. And you decided then, didn't you, that it'd be a
25 good idea to cooperate, right?

1 A. True, sir.

2 Q. And as a result and as part of your cooperation, you
3 testified at two separate grand juries, true?

4 A. True.

5 Q. The first grand jury had nothing to do with police
6 officers, did it?

7 A. No, sir.

8 Q. The first grand jury had to do with you and the people you
9 were selling dope with, true?

10 A. True.

11 Q. And before you went to that grand jury on March the 12th
12 of 2015, you had discussed your dope dealing with either the
13 FBI, the DEA, the U.S. Attorney's Office or all three of them,
14 true?

15 A. True.

16 Q. And you told the grand jury at -- first thing you did was
17 you agreed or you admitted that you had been involved in a
18 conspiracy to sell cocaine, heroin, weed, and you used the
19 telephone to do all those things, correct?

20 A. True.

21 Q. And you were asked how it was that you first became
22 involved in drug distribution. Do you remember that?

23 A. I can't recall everything, but go ahead.

24 MR. FISHMAN: Page 11, Mr. Buckley, of the three --
25 of the first one.

1 MR. BUCKLEY: Thank you.

2 MR. FISHMAN: 3-12.

3 BY MR. FISHMAN:

4 Q. The prosecutor who you were dealing with there was neither
5 Mr. Buckley nor Mr. Light. It was a female, correct?

6 A. Karen Gibbs.

7 Q. Okay. And you told us or you told somebody today that you
8 had a successful business, correct?

9 A. True.

10 Q. That you were making a bunch of money in -- I can't
11 remember if it was the trucking --

12 A. From 2000, trucking.

13 Q. Right?

14 You paid a lot of taxes I'm sure on that money,
15 right?

16 A. Yes, sir. If you can pull up the records, sir.

17 Q. And when you were asked about how you first became
18 involved in drug distribution, do you remember answering,
19 "Knowing people out of work trying to make some money"?

20 A. Well, it was hard for me coming up, but I don't want to
21 explain everything, so...

22 Q. Look, Mr. Jackson, this is a simple question. Do you
23 remember the question and answer? Question, "And how was it
24 that you first became involved in drug distribution?" Answer,
25 "Knowing people out of work trying to make some money."

1 A. Okay.

2 Q. Do you remember that answer?

3 A. It -- it could be possible. I don't know, recollect it
4 altogether.

5 Q. If I show it to you, will it refresh your memory?

6 A. It doesn't make a difference if you did. If it's on the
7 paper, that's what I said, but I'm just saying I can't recall
8 everything, sir.

9 Q. Okay. But are you quarreling with it if I'm reading it
10 from the paper?

11 A. No. I --

12 Q. Okay.

13 A. -- I'm fine with it.

14 Q. All right. So when you were at grand jury, you gave the
15 grand jurors and the prosecutor some idea of the kind of money
16 that was involved in all of this different kind of drugs,
17 correct?

18 A. What are you saying? I don't know. What are you --

19 Q. All right. Do you remember telling the grand jury that
20 you were paying 37,500 for a kilo of cocaine?

21 A. Yes.

22 Q. You remember telling them you would sell them for 40,000 a
23 kilo?

24 A. True.

25 Q. Do you remember telling them you were paying 80,000 a kilo

1 for heroin?

2 A. True.

3 Q. Do you remember telling them that you were selling heroin
4 for 85 to \$90,000?

5 A. But I never did use any money, sir. It was all given to
6 me.

7 Q. That's -- that's not my question, sir.

8 A. Oh, okay.

9 Q. Wait. You say it was all given to you?

10 A. Yes, it was supplied.

11 Q. Okay. Well, here's the -- well, here's the questions and
12 answer. You tell me if you remember them. Question --

13 MR. FISHMAN: Top of page 16, Mr. Buckley.

14 BY MR. FISHMAN:

15 Q. -- "How much at the time were you paying for a kilogram of
16 cocaine?" Answer, "37,500." Question, "And how much were you
17 selling them for?" Answer, "40,000." Question, "Per kilogram,
18 is that correct?"

19 MR. BUCKLEY: Judge, I'd ask the purpose. This is
20 consistent with what Mr. Jackson just said.

21 MR. FISHMAN: He just said he was getting it for
22 free.

23 THE WITNESS: I didn't say --

24 MR. FISHMAN: And the question says paid.

25 THE COURT: Okay. All right. All right. All right.

1 He's acknowledged the prior testimony. The question of whether
2 or not or where he got it from I think -- I would say it -- it
3 can -- you can approach that a different way, but -- but I
4 think what he said here is the price is 37, the sale price is
5 40. Now, where he gets it from or whether he pays it is --
6 is -- is -- is different, but -- but I understand your point
7 and go right ahead.

8 MR. FISHMAN: Okay.

9 BY MR. FISHMAN:

10 Q. Did -- didn't you just tell us you weren't -- you were
11 getting it free?

12 A. You don't get anything. If it's supplied to you, sir, in
13 front, they call it a front, they front you the cocaine, the
14 weed or heroin, whatever it is, you don't have to pay direct.

15 Q. Do you remember being asked this question with respect to
16 the heroin: "And then how much on average were you paying for
17 a kilogram of heroin?" Answer, "80,000." Question, "And how
18 much were you selling it for?" Answer, "85 to 90,000." You
19 remember those questions and answers?

20 A. Yes, sir.

21 Q. Was that true?

22 MR. BUCKLEY: Again, Judge, that's consistent with
23 his testimony today.

24 THE COURT: No.

25 MR. BUCKLEY: For what purpose is Mr. Fishman going

1 through this exercise?

2 THE COURT: I -- I think he's trying to use that to
3 establish whether or not Mr. Gary Jackson paid cash for the
4 heroin, and I don't know if that's been established or not.

5 Go right ahead.

6 BY MR. FISHMAN:

7 Q. You don't deny that whether you paid it in front or you
8 paid it in the back, you had to pay for the heroin, didn't you?

9 A. Yeah, whatever I received on the front, yes, sir.

10 Q. Yeah. You're -- you're not saying you got it for free?

11 A. That's -- yeah, okay.

12 Q. Okay. So when you were confronted by the FBI as you've
13 told us, you began to cooperate, correct?

14 A. True.

15 Q. January -- July 25th of 2014, right?

16 A. True.

17 Q. That was not the first time that you had contact with the
18 FBI though, was it?

19 A. No.

20 Q. Because you told Mr. Buckley that you were registered as
21 an FBI informant from November 2012 for, you said, about eight
22 months, correct?

23 A. True.

24 Q. And during that time that you were registered as an FBI
25 informant, you were still involved in selling narcotics, were

1 you not?

2 A. True.

3 Q. And did you tell the FBI, "Look, I don't mind being an
4 informant but I still got to sell dope"? Did you tell them
5 that?

6 A. I told them I had to do what I had to do for to get to the
7 cartel.

8 Q. You -- my question --

9 A. But I --

10 Q. -- my question is simple. Did you tell the FBI that you
11 were going to continue to sell dope?

12 A. No.

13 Q. Didn't the FBI tell you clearly that if you're going to be
14 an informant, you can't sell dope, right?

15 A. True.

16 Q. And they told you you can't carry pistols, right?

17 A. True.

18 Q. And you had pistols and you had weapons in your house
19 during the time you were working for the FBI, true?

20 A. No, sir.

21 Q. No guns?

22 A. You -- I -- and when they stopped me, you said in my
23 house. They never raided my house.

24 Q. I'm not asking you, sir, if they raided your house. You
25 kept guns and firearms while you were working for the FBI,

1 didn't you?

2 A. No. I was just this one incident, sir.

3 Q. Just one time where they --

4 A. Yes, sir.

5 Q. -- happened to catch you?

6 A. One time, sir.

7 Q. The rest of the time between those eight months you never
8 had a pistol, never had an AK-47, never had anything?

9 A. At the end of the day, sir, you talking about guns. My
10 wife has a CCW, sir.

11 MR. BUCKLEY: Judge, the question assumes facts not
12 in evidence because the witness was not an FBI source at the
13 time of the stop, so I think Mr. Fishman is confusing the
14 issue.

15 THE COURT: Okay.

16 MR. FISHMAN: I don't think so. I'm asking the
17 specific time period when he's an FBI source. I don't care
18 about the stop.

19 THE COURT: Overruled. Go ahead.

20 BY MR. FISHMAN:

21 Q. My question is during that seven or eight months, whether
22 your wife had a CCW or not, did you carry weapons, either keep
23 'em in the house, take 'em in the car, walk down the street
24 with them, did you do that?

25 A. No, sir.

1 Q. Okay. When you became a source with the FBI in November
2 of 2012, are you telling us it was because they wanted you to
3 help infiltrate the cartel?

4 A. I was -- Curly switched from DPD to FBI task force, sir.
5 So he told me, "Do you want to come over this way?"

6 Q. So you were registered by Curly over with the FBI, is that
7 what you're saying?

8 A. Yes.

9 Q. Didn't you mention some other FBI agent? I think you
10 said --

11 A. Pete Lucas because they was together.

12 Q. -- his name is Lucas?

13 THE COURT REPORTER: Wait, wait.

14 Q. You've got to let me finish.

15 A. Okay.

16 Q. Or we'll be here all day.

17 A. All right.

18 Q. Didn't you tell us earlier that an agent named Pete Lucas
19 was the person who registered you at the FBI?

20 A. Yes, sir.

21 Q. And isn't it true then that Agent Lucas talked to you
22 about what the reason was for you to be registered?

23 A. No. I told him.

24 Q. And you told him you had information that might lead to
25 the Mexican cartel, correct?

1 A. True.

2 Q. And that was -- at least as far as you could tell, that
3 was the purpose of you being registered as an informant, to
4 help them get to the cartel, true?

5 A. True.

6 Q. Well, in November of 2012 you were still angry with
7 Hansberry and Watson from back in July of 2010, weren't you?

8 A. Never, sir.

9 Q. Didn't you tell us that this whole thing started because
10 you say they cheated you out of about 900,000 or some amount of
11 money?

12 A. You said in 2012 I was still angry, and I wasn't, sir.

13 Q. Okay. So your anger passed, correct?

14 A. Oh, immediately.

15 Q. You let it go?

16 A. Yes, sir.

17 Q. So when you were working with the FBI, did it cross your
18 mind that might have been a good time to tell them about these
19 dirty Detroit narcotics guys?

20 A. I'm glad you brought that up, sir. What it was, why I got
21 on that task force is because I knew that I couldn't trust them
22 no more and I needed somebody with higher leverage, sir.

23 Q. Right.

24 A. So if it comes to a situation -- if you let me finish
25 answering, sir.

1 Q. Oh, you go right ahead.

2 A. If it comes to a situation that it ever occurs, I know I
3 have a tape somewhere explaining them because nobody would
4 never believe me as you portraying me as this big drug dealer.
5 True, I sold a lot of drugs, but at the end of the day, how
6 would my conversation be without a conversation from them, sir,
7 coming out their mouth?

8 Q. Okay. Now can you answer my question?

9 A. What is it, sir?

10 Q. Why didn't you just tell the FBI, Pete Lucas or anybody
11 else, in November --

12 A. Because we was going for major --

13 Q. You've got to let --

14 THE COURT: Hold on. Let him ask and you -- go
15 ahead. Let's be orderly.

16 Q. Why didn't you tell the FBI in November of 2012, "I can
17 try to get you the cartel but let me tell you about these dirty
18 cops and I have a tape." Why didn't you tell them that?

19 A. Because we was going after cartels, sir. It was something
20 totally different.

21 Q. Is that your answer?

22 A. Yes, it is.

23 Q. And you figured then that if you told them about dirty
24 Detroit narcotics cops, they'd just tell you to go jump in the
25 lake, they weren't interested?

1 A. I didn't say that, sir. You trying to put those words in
2 my mouth.

3 Q. I'm just asking you --

4 A. I was going after the cartel, period, sir, if that's your
5 answer.

6 Q. I'm just asking you, did you believe that since you were
7 talking about the cartel, there was no sense bringing up dirty
8 Detroit Police narcotics cops because the FBI wouldn't care?

9 A. No, I didn't believe that, sir.

10 Q. You knew --

11 A. But I was on a pacific mission.

12 Q. You knew, as sure as you're sitting here, that the FBI
13 would be interested in information from you, particularly with
14 this tape about dirty Detroit narcotics cops, you knew that,
15 didn't you?

16 A. I wasn't going there, sir.

17 Q. I understand that, but you knew they'd be interested?

18 A. I knew everybody would be interested.

19 Q. Okay. When you began to cooperate, you told Mr. Buckley
20 earlier, and you've repeated it I don't know how many times,
21 that one of the reasons you were doing it is because these were
22 corrupt, dishonest police officers, right?

23 A. True, sir.

24 Q. Mr. Jackson, would you agree with me that you've lived
25 most of your life, particularly when you were hustling, under

1 the theory of "What's in it for me?"

2 A. Sir, no, sir.

3 Q. No?

4 A. Nope.

5 Q. Okay. Is it your testimony that when you agreed to
6 cooperate, that you weren't thinking at all about what might
7 happen to you in terms of your case in federal court?

8 A. What I was thinking about when I got stopped, sir, is at
9 the end of the day do what I have to do honestly because they
10 already knew that I would -- had information on corrupt police
11 officers.

12 Q. My question to you, sir, is are you telling us that at no
13 time were you concerned with what might happen to you on your
14 case in federal court when you were deciding whether to
15 cooperate?

16 A. Well, at the end of the day, you're going to think about
17 it because you get stopped, so you just looking at your
18 outcome, but at the end of the day, it wasn't a thing about
19 that.

20 Q. So the fact that you're receiving the break that we're
21 going to discuss in a minute, the fact that you're going to get
22 some kind of a break was not in your mind when you decided to
23 cooperate?

24 A. For telling the truth, sir? I'm just trying to tell the
25 truth, sir, if that's your -- that's my answer.

1 Q. I'm going to only ask it one more time. If you don't want
2 to answer it, fine.

3 My question has nothing to do with telling the truth,
4 it has nothing to do with anything other than the following:
5 When you decided to cooperate, are you telling us that what
6 might happen to you in federal court and whether you would get
7 a break, that was not in your mind at all?

8 A. What it was is me telling the truth, sir. That's my
9 answer.

10 Q. Okay. That's your answer.

11 So eventually you had Mr. Perkins for a lawyer,
12 correct?

13 A. True.

14 Q. And you made a deal with the government, am I right?

15 A. True.

16 Q. And you don't dispute that you made a deal, do you?

17 A. No, sir.

18 Q. And you know -- you said you haven't talked to Fred Tucker
19 or Calvin Turner about this case but you've talked to them
20 about their deals, haven't you?

21 A. No, sir.

22 Q. You've not had a conversation -- when's the last time you
23 talked to Calvin Turner?

24 A. That long ago, sir.

25 Q. What does that mean?

1 A. A one-on-one basis. I haven't had a conversation like
2 that. We haven't talked --

3 Q. Okay.

4 A. -- about nothing about this case, sir.

5 Q. I didn't ask you about this case.

6 A. Oh.

7 Q. I'm saying if you had a conversation with -- when's the
8 last time you talked with Calvin Turner?

9 A. We not -- we not -- we not friends, sir.

10 Q. Okay. All right.

11 A. I've told you for the last 17 months we haven't -- before
12 even this even happened we had parted, sir.

13 Q. Do you know what kind of deal he has?

14 A. I read it in the paper.

15 Q. Do you know what kind of deal Tucker has?

16 A. Yes.

17 Q. From talking to Tucker or from reading that in the paper?

18 A. No, I talked to Tucker.

19 Q. And he told you that he's looking at 60 months?

20 A. Yes, sir.

21 Q. Okay.

22 A. I told him I was looking at 76.

23 Q. And did you guys laugh when you talked to each other about
24 it and laugh about how you've pulled the wool over the eyes of
25 the government to get such a little amount of time for all the

1 dope dealing you did?

2 A. Oh, no, sir.

3 Q. Okay.

4 A. It's no laughing matter. I have a family.

5 Q. And you had a family while you were out selling kilos of
6 cocaine and heroin too, right?

7 A. Yes, sir.

8 Q. And it didn't stop you from doing it, did it?

9 A. No, sir.

10 Q. In fact, you got involved with other members of your
11 extended family, didn't you?

12 A. No, sir.

13 Q. No?

14 A. What are you talking about, extended family?

15 Q. Who's Jermaine Rooks?

16 A. Who -- what do you mean? That's my nephew.

17 Q. Did you get involved in drug dealing with him?

18 A. Yeah, we talked and dabbled --

19 Q. Okay.

20 A. -- and dabbled, yeah.

21 Q. Okay. Your Plea Agreement was put up on the screen, and I
22 don't know that we need it unless you tell me you want to see
23 it again.

24 MR. FISHMAN: Ms. Koch, could we just be ready
25 because I don't know what number it is, unfortunately.

1 MR. BUCKLEY: 1101.

2 BY MR. FISHMAN:

3 Q. Do you --

4 MR. FISHMAN: Yeah, maybe we should put it up there
5 just -- I might want it. Page 2 I think.

6 MS. KOCH: Page 2?

7 MR. FISHMAN: The factual basis is what I'm looking
8 for. Another one. 3, maybe 4, try 4. Okay. Yeah, I kind of
9 need all the -- Count One maybe going to the bottom.

10 BY MR. FISHMAN:

11 Q. All right. Mr. Jackson, I'm going to ask you some
12 questions about that and feel free to look at it --

13 A. Okay.

14 Q. -- if you need to to refresh your memory. Okay.

15 You understand or you remember what you pled guilty
16 to, correct?

17 A. True.

18 Q. You pled guilty to Conspiracy to Possess With Intent to
19 Distribute Five Kilograms or More of Cocaine and One Kilogram
20 or More of Heroin in Counts One and Two, correct?

21 A. Is this Fred Tucker up here or me?

22 Q. No, no, this is --

23 A. Which one you got?

24 MR. FISHMAN: Can we put it back up on -- the
25 original page? Right there, just the offenses that he's

1 pleading to and the whole "United States of America" so he can
2 see his own name.

3 BY MR. FISHMAN:

4 Q. Does that look like your name?

5 A. Yes, it is, sir.

6 Q. And is that you, also known as Geedy Weedy?

7 A. Yes, sir.

8 Q. Did you plead guilty to -- or did you agree to plead
9 guilty and then plead guilty to Conspiracy to Possess With
10 Intent to Distribute Five Kilograms or More of Cocaine and One
11 Kilogram or More of Heroin?

12 A. True.

13 Q. And you'd agree with me, sir, that in your career of dope
14 dealing, you conspired to possess with intent to distribute a
15 lot more than five kilos of cocaine and a lot more than one
16 kilo of heroin, true?

17 A. True.

18 Q. All right. And you agreed to plead guilty to Count Ten,
19 conspiracy to use the phone basically to conduct drug deals --

20 A. I can't see it up here, sir.

21 Q. Right?

22 A. Yes, sir, that's what I pleaded, but I don't --

23 Q. And you knew and you know today that the first two counts
24 carry a minimum mandatory penalty of ten years, correct?

25 A. True, sir.

1 Q. Which you know would be 120 months, am I right?

2 A. Yes, sir.

3 Q. Okay.

4 MR. FISHMAN: Can we go to page 4 then?

5 BY MR. FISHMAN:

6 Q. And this Plea Agreement, sir, you would agree had nothing
7 to do with this case that we're here today about, right?

8 A. True.

9 Q. This was you and the other people you did things with,
10 right?

11 A. I just see Sadek Tucker up there, but yes.

12 Q. We'll get to the other people later.

13 A. Oh.

14 Q. But in this count you admitted and you agree that you and
15 Mr. Tucker conspired to distribute the same quantities we were
16 talking about before, correct?

17 A. Yes, sir.

18 Q. You were asked questions about being an organizer or
19 leader, and I can't remember what you told Mr. Harrison but I'm
20 going to ask you, were you an organizer or a leader of a group
21 of people that were selling cocaine and heroin?

22 A. I said, and I -- again I tell you, it was me, Fred Tucker,
23 it's Little Tone and Hook. That was about it. And they was
24 off and on, sir.

25 Q. Okay. Now, let's see if you can answer my question. Were

1 you an organizer and leader of however many people it were for
2 whatever it was you were doing, were you the head --

3 A. Yes.

4 Q. -- of it?

5 A. Yes, sir.

6 Q. All right. And you agreed to that in your Plea Agreement,
7 correct?

8 A. Yes, sir.

9 Q. Okay.

10 MR. FISHMAN: Can we go to page 5 please in the
11 middle paragraph please?

12 BY MR. FISHMAN:

13 Q. Did you also agree, sir, that you were stopped on
14 June 25th, 2014 while driving a car?

15 A. Yes.

16 Q. And where did that occur?

17 A. In Farmington, Southfield, right at Middlebelt and
18 Northwestern Highway, sir.

19 Q. And when you were stopped --

20 A. Is this me over here or -- or just -- it keeps saying
21 "Tucker." That's the only way I'm trying to say it.

22 MR. FISHMAN: Okay. Maybe we should narrow it down
23 to the "Moreover."

24 MS. KOCH: I'm sorry, where?

25 MR. FISHMAN: You can't do that? Can we start it at

1 "Moreover" which would eliminate Mr. -- "Moreover, Defendant
2 agrees..."

3 MS. KOCH: I'm sorry, I'm not seeing that.

4 THE WITNESS: That's not -- it's all Tucker on this
5 box.

6 MR. FISHMAN: Don't use the box. We'll go from
7 there.

8 BY MR. FISHMAN:

9 Q. Mr. Jackson, you know that when it says "defendant" in
10 your Plea Agreement, that means you, right?

11 A. Okay.

12 Q. Okay is not an answer.

13 A. Yeah, yeah, yeah.

14 Q. Yes or no?

15 A. Okay. I know now, sir.

16 Q. All right. You were stopped on June 25th, 2014, you said
17 it was in Farmington Hills or Farmington?

18 A. July the 25th, but yeah.

19 Q. Okay. And were you stopped for a lawful reason or did
20 they just stop you for the heck of it?

21 A. Well, I knew both of my counterparts had got stopped, so I
22 knew it was going to just be a nick of time before they stopped
23 me.

24 Q. All right. So you agreed in your Plea Agreement that that
25 traffic stop was lawful. Do you see that in there?

1 A. Yes, sir.

2 Q. And you agree that you had a 9mm Smith and Wesson firearm
3 on you, is that right?

4 A. Yes, sir.

5 Q. And you --

6 A. It was in the vehicle.

7 Q. I'm sorry?

8 A. It was in the vehicle.

9 Q. It was not on you?

10 A. No, it wasn't on my person.

11 Q. Was anybody else in the vehicle besides you?

12 A. No, sir.

13 Q. Was it your car?

14 A. It was my wife's, yeah.

15 Q. But you were driving your wife's car?

16 A. Yes, sir. Yes, sir.

17 Q. And you agreed, didn't you, that you were carrying that
18 gun to protect yourself during and in relation to your drug
19 trafficking activities, correct?

20 A. I'm not going to agree to that one, sir.

21 Q. No, I'm not asking what you agree to today. Read those
22 sentences --

23 A. That's what -- that's what you trying to make me answer
24 to. I'm just saying that I was carrying a gun but it wasn't
25 for drug trafficking, sir.

1 Q. All right. Well, let me read the whole sentence and then
2 you tell me -- I'm going to ask you two questions about it.
3 The sentence reads, "Moreover, defendant agrees that on or
4 about June 25th, 2014, he was subjected to a lawful traffic
5 stop where a .9mm Smith and Wesson firearm was seized, which
6 the defendant agrees he carried to protect himself during and
7 in relation to his drug trafficking activities." Did I read
8 that right?

9 A. You read it right.

10 Q. And are you saying, sir, that you didn't agree to that?

11 A. Well, I -- I wasn't doing it for no drug trafficking, sir.

12 Q. Okay. You signed the Plea Agreement that contained --

13 A. Okay, yeah, but I was --

14 Q. You've got to let me finish the question.

15 A. Go ahead.

16 Q. You signed a Plea Agreement that included that sentence,
17 correct?

18 A. Correct.

19 Q. And you told the judge at some point in time in your
20 guilty plea proceeding that you agreed with or accepted the
21 factual basis that is --

22 A. Right.

23 Q. -- part of this. But you're telling us today that really
24 you just had the gun, it had nothing to do with drug
25 trafficking?

1 A. Well, sir, I sold drugs. I wasn't trafficking any drugs
2 at that time, sir. That's what I'm just trying to say. But if
3 you -- they put it together, drug trafficking, I sold drugs, I
4 was a trafficker and I admit to my crime, sir. They just need
5 to admit to theirs.

6 Q. When you took your plea, you've learned from either Mr.
7 Perkins or just from somewhere that there's things called
8 sentencing guidelines, am I right?

9 A. Yes, sir.

10 Q. And you also know, as we've discussed, about mandatory
11 minimums.

12 MR. FISHMAN: You can -- you can take that down.

13 Thanks.

14 BY MR. FISHMAN:

15 Q. Mandatory minimums, you knew about that too, correct?

16 A. Yes, sir.

17 Q. And you know, don't you, that your guideline range is 135
18 to 168 months, and that without some kind of motion to go
19 underneath the mandatory minimum, you would have been looking
20 at a minimum of 120 months, true?

21 A. Yes, sir. That's what my attorney said.

22 Q. If you had your way, you would prefer not to do 135 to
23 168 months, agreed?

24 A. If it my way, not even a day, sir, but you --

25 Q. If it was your way --

1 A. -- asked me.

2 Q. If -- if you -- it was up to you, you'd walk out of here,
3 go back in the streets and not do one day in jail, wouldn't
4 you?

5 A. I mean if that's what -- the way you think, yeah, but I
6 know I'm not.

7 Q. So the answer to my question is yes, you did not -- no,
8 you do not want to do a mandatory minimum sentence of
9 120 months, right?

10 A. I don't want to do a day, sir.

11 Q. Okay. And as part of your desire not to want to do -- or
12 not to do a day, you agreed and you entered into a Cooperation
13 Agreement with the government, correct?

14 A. True.

15 Q. And you've said more than once that you expect to get
16 76 months, correct?

17 A. That's the agreement, but the judge has the final say,
18 sir.

19 Q. Okay. So you don't have any expectation of what you might
20 get, right?

21 A. Well, I'm just saying that's what the agreement says, sir.

22 Q. What the agreement says --

23 A. Seventy-six months.

24 Q. -- what the agreement says, sir, and you correct me if I'm
25 wrong, is that the government will recommend to Judge Hood a

1 sentence of 76 months, right?

2 A. True.

3 Q. And you don't know, of course, what she might do, correct?

4 A. Yes, sir.

5 Q. In your Cooperation Agreement --

6 MR. FISHMAN: And do -- do we have -- is that an
7 exhibit?

8 MS. KOCH: As an exhibit?

9 MR. BUCKLEY: It's attached to 1100.

10 MR. FISHMAN: 1100?

11 MR. BUCKLEY: Yeah. Yes, sir.

12 MR. FISHMAN: If you can find that, Ms. Koch, that'd
13 be great.

14 MR. BUCKLEY: Right at the end of 1100.

15 BY MR. FISHMAN:

16 Q. You recognize that as the Cooperation Agreement that you
17 signed?

18 A. Yes, sir.

19 Q. And you see --

20 MR. FISHMAN: I don't think we need to enlarge it.

21 BY MR. FISHMAN:

22 Q. You -- you agreed you'd provide truthful information and
23 testimony concerning all the facts of your case known to you.
24 See that underlined?

25 A. Yes, sir.

1 Q. And again, we're talking about your case, which is your
2 drug case where you and Mr. Tucker are charged, correct?

3 A. True.

4 Q. Okay.

5 MR. FISHMAN: Can we go to the second page please and
6 can we enlarge the "Active Cooperation" part?

7 BY MR. FISHMAN:

8 Q. Mr. Jackson, you agreed to something called Active
9 Cooperation, correct?

10 A. Yes. I see it right here, sir.

11 Q. And you understood Active Cooperation to mean at least
12 providing testimony against other people, correct?

13 A. True.

14 Q. And in that paragraph you agreed, did you not, to provide
15 complete and truthful testimony against Fred Tucker, right?

16 A. True.

17 Q. Who is referred to as co-defendant on your case, right?

18 A. True.

19 Q. And you agreed to provide testimony as to certain
20 co-conspirators, correct?

21 A. True.

22 Q. All right. Now, I'm -- I'm not going to ask you what role
23 any of them played in whatever it was y'all were doing, but you
24 agreed to testify against William Campbell, also known as Dub,
25 right?

1 A. True.

2 Q. You agreed to testify against Tony Anderson, correct?

3 A. True.

4 Q. You agreed to testify against Mr. Metcalf, also known as
5 Hook?

6 A. True.

7 Q. You agreed to testify against Orlando Perez, correct?

8 A. True.

9 Q. You agreed to testify to somebody -- against someone known
10 as Little Dub, correct?

11 A. True.

12 Q. And you agreed to testify against your friend Calvin
13 Turner who people call Kemp, am I right?

14 A. True.

15 Q. You also agreed to testify about other unnamed and
16 unindicted conspirators and to provide testimony against
17 Leavells and Watson and Hansberry, correct?

18 A. No, sir. I mean the ones on this paper, yeah, but I don't
19 know where you going with -- with so many other people than the
20 ones --

21 Q. Didn't --

22 A. -- on this paper.

23 Q. I'm looking at the paper. Didn't you also agree --

24 A. Go ahead.

25 Q. -- that by the bottom of the page --

1 A. Uh-huh.

2 Q. -- you agreed to provide testimony against these two
3 defendants and Mr. Leavells, correct?

4 A. True.

5 Q. Okay. So have you testified against Mr. Tucker, Mr.
6 Metcalf, Mr. Perez or Calvin Turner?

7 A. Just against Mr. Tucker. And are you saying this on the
8 grand jury testimony or are you just saying have I went to
9 court on them, sir?

10 Q. Testifying either way, grand jury or trial.

11 A. Well, I have went to the grand jury, sir.

12 Q. And you testified against who?

13 A. I'm just saying the names that's on here that I'm just
14 saying of our dealings.

15 Q. Right. But you've testified --

16 A. I haven't been on the stand against them, sir.

17 Q. When you went to the grand jury, sir, you provided
18 testimony about all of those people, didn't you?

19 A. Yes, sir. That's what I said.

20 Q. Okay. You testified against them, and whatever happens to
21 'em happens to 'em, right?

22 A. Well, I'm just telling the truth, sir.

23 Q. You told part of that tape and then you told Mr. Buckley
24 you weren't testifying against the brothers, right?

25 A. Oh, yes, sir.

1 Q. You didn't want the brothers to go to jail, right?

2 A. Yes, sir.

3 Q. And everybody on that list except possibly Orlando Perez
4 is black?

5 A. Oh, you can call him black.

6 Q. Okay. Then we'll call him black. Everybody up there is
7 black, right?

8 A. Yes, sir.

9 Q. Okay. I want to ask you some questions about that money
10 seizure, but I'm not going to go into near the detail that
11 either Mr. Buckley or Mr. Harrison did. I'm just trying to
12 figure out, and you maybe can help me with this, whose money
13 was in that truck in terms of the proceeds of selling the
14 drugs? I don't mean it was the cartel's money because the
15 truck pulled away. Who put the money -- who contributed the
16 money that wound up in that truck?

17 A. The cartel is a part, the SA that you said don't say
18 nothing about, and me myself, and a couple more people --

19 Q. And those --

20 A. -- that I already named.

21 Q. And those were the people that you named, some with
22 nicknames and some with real names, right?

23 A. Right.

24 Q. Okay. And none of those people that you named before are
25 related to you, correct?

1 A. One is.

2 Q. Is that L?

3 A. Yes, it is, sir, your client.

4 MR. FISHMAN: Judge, can we have -- if we were going
5 to take a break, this might be a good time.

6 THE COURT: Let's take our mid-afternoon break. It's
7 1:15. Let's take about five minutes for comfort and water, and
8 we'll be back here in about five or ten minutes to finish out
9 the day.

10 Let's all rise for our jurors please.

11 (Whereupon the jury was excused at 1:14 p.m.)

12 MR. FISHMAN: Judge, before you go, may I have a
13 second?

14 THE COURT: Yeah.

15 MR. FISHMAN: Could we excuse the witness please?

16 THE COURT: Yeah. You want to step down, Mr.
17 Jackson?

18 (Whereupon the witness was temporarily excused at
19 1:15 p.m.)

20 THE COURT: Everybody can be seated.

21 MR. FISHMAN: I'm asking the Court for a mistrial for
22 two reasons, both having to do with Mr. Jackson's volunteering
23 things, which I've been unable to successfully stop, nor has
24 the Court been able to do it either, even though we've tried.

25 THE COURT: Okay.

1 MR. FISHMAN: I specifically avoided on purpose and
2 intentionally ever mentioning anything about his nephew being a
3 client of mine, which he absolutely was and has been and
4 probably considers me to be his lawyer today, which would be
5 accurate. And him bringing that up in the context of this case
6 and in the context of that seizure I believe prejudices Officer
7 Watson in the eyes of the jury.

8 And in addition, you may recall, I don't remember the
9 exact words but I'm sure Linda has it in her transcript, he
10 volunteered also something about I know as many drug dealers as
11 them or something along that line.

12 THE COURT: I remember that. And you said, "Whatever
13 that is supposed to mean."

14 MR. FISHMAN: Right.

15 THE COURT: Yeah.

16 MR. FISHMAN: And here -- here -- here's the basis of
17 my objection. Number one, Mr. Jackson is a very smart person
18 obviously and he's also very savvy, and he's also impossible
19 for anybody other than in the -- the government's thing when he
20 knows what's coming every time, it's impossible to keep him
21 from volunteering things. The two things he's volunteered, I'm
22 in a position now where the jury is -- very justifiably might
23 thinking what is this? He's cross-examining these guys. He
24 represents drug dealers. He represents this guy's nephew, even
25 though it didn't come out nephew. And I just think that it

1 puts me in an impossible position and I think it puts Officer
2 Watson in an impossible position.

3 And I will say this. I don't know what more I could
4 have done to control him as a witness without, you know,
5 appealing to the Court, which I don't think is a great idea for
6 defense lawyers. The record will show I repeatedly over and
7 over again asked him to wait until I finish questions, not to
8 make speeches. The Court interrupted him when he was making a
9 speech I think on the record and he --

10 THE COURT: Yeah, I tried to do it a couple times.

11 MR. FISHMAN: -- refused to do it. Now he's -- now
12 he's crossed the line.

13 THE COURT: Let me -- let me -- do you have the -- or
14 Linda, do you have the testimony on the representation of the
15 nephew? That went past me pretty quickly and I don't -- I
16 don't have the exact --

17 MR. FISHMAN: It would be right before I asked
18 for the -- as soon as -- it's the last answer and that's when
19 it happened.

20 THE COURT REPORTER: Do you mean where he said your
21 client?

22 MR. FISHMAN: Yeah, clients.

23 THE COURT: All right. Let me take -- let me take a
24 look here. Okay.

25 THE COURT REPORTER: It's --

1 THE COURT: Oh, I got it, I got it.

2 THE COURT REPORTER: -- page 155, line 18.

3 MR. FISHMAN: Right before I asked for a break.

4 THE COURT: Okay. I got it. I got it. All right.
5 Okay. All right. I understand your argument.

6 MR. FISHMAN: Well, can -- but can I say one other
7 thing, Judge?

8 THE COURT: Yes.

9 MR. FISHMAN: When he said it, I stepped back from
10 the podium and I looked at the jurors, and I won't say who but
11 one of the jurors looked at me like, "Huh-huh, what happened
12 now?" like, "You've been pulling our legs all the way through
13 this trial?" That's the way I anticipate -- that's the way I
14 took it. I've had quite a bit of experience. Obviously I
15 don't know what's in his mind, but that's still the way it
16 looked to me.

17 THE COURT: All right. Okay.

18 MR. HARRISON: Judge, just for purpose of the record,
19 I join in that motion. I believe the --

20 THE COURT: There's no -- there's no grounds for any
21 mistrial for Hansberry or Brown. I'm not going to consider
22 that.

23 I think the issues with regard to Watson are
24 legitimate. Do you want to speak now, Mr. Buckley, or do you
25 want some time or...

1 MR. BUCKLEY: No, absolutely, Judge. I respectfully
2 request the motion be denied outright. Mr. Fishman -- I didn't
3 see the visual exchange he had with the juror. I make it a
4 practice not to look at the jury during the trial. But, you
5 know, Mr. Fishman kept -- Mr. Fishman provoked that response,
6 Your Honor, and I say that with all due respect to him and the
7 system. He didn't have to ask continuously about the
8 individuals in the drug case in which Mr. Jackson was charged
9 and cooperated. He continued to probe and he provoked that
10 response.

11 Now, what the Court could do if the Court chose to is
12 give the jury a curative instruction and tell them to disregard
13 that answer, and I guess that would be -- I don't know whether
14 Mr. Fishman wants that or not, but there's no basis for a
15 mistrial here, Your Honor, and we're four weeks into trial.

16 Again, it was really unnecessary for Mr. Fishman to
17 probe as far as he did, and, quite frankly, I think he crossed
18 the line and actually provoked that kind of response from --
19 from the witness because Mr. Fishman knew, I submit, that Mr.
20 Jackson was aware that his nephew was Mr. Fishman's client.

21 THE COURT: Well, I don't know about that. But --
22 but -- okay. I -- I need to determine legal standards for
23 witness testimony that may be non-germane, that is non-germane
24 and implicates defense attorney's relationship with others. I
25 also need to look at the transcript more clearly.

1 Would you like to speak at all to the issue of Mr. --
2 Mr. Jackson's verbosity and, Mr. Buckley, you want to speak to
3 his volunteering the --

4 MR. BUCKLEY: Judge, yes, sir. In terms of
5 verbosity, you know, Mr. Fishman's a very experienced trial
6 lawyer, and at any time if he felt that he was not in control,
7 he could have asked the Court to admonish the witness. There
8 have been other instances during the course of this trial where
9 the Court did admonish witnesses. And, you know, Mr. Fishman,
10 again, is very experienced, and anytime he felt he needed help,
11 he could have simply said, "Judge, would the Court kindly
12 instruct the witness to answer my questions?" Mr. Fishman
13 elected to handle the situation in the fashion that he did, and
14 again, there's no grounds for a mistrial here.

15 THE COURT: Okay.

16 MR. FISHMAN: Judge, may I be heard?

17 THE COURT: Of course. Go right ahead.

18 MR. FISHMAN: I -- I invite the Court and I welcome
19 the Court's thoughts about looking at the transcript. There's
20 nothing that provoked any of this. In fact, I think you'll
21 see, with respect to the last answer, I asked him one question:
22 "Were any of them your relatives?" That was it. And I
23 specifically -- that was the only thing I talked about with
24 that.

25 And with respect to the other part about I know 'em

1 all, "You know as many dope dealers as I do," I think you're
2 going to find when you see it, it was another one of Mr.
3 Jackson's just lobbing something out there and it wasn't
4 responsive and it was just him talking.

5 So I -- I -- I hope that the Court does -- I think
6 the transcript will back up what I say. I wouldn't mind taking
7 a look at the law too to see if --

8 THE COURT: Well, I'll just read the -- the -- the --
9 the colloquy here that I have in front of me. This is rough,
10 it isn't finished, and it's from my Sametime issue. There's a
11 long question about questions about the money seizure. "I'm
12 not going to go into the detail that either Mr. Buckley or Mr.
13 Harrison did. Whose money was in that truck? I mean -- I
14 don't mean it was the cartel's money because the truck pulled
15 away." And then Mr. Fishman asked, "Who put the money -- who
16 contributed the money that wound up in that truck?" Mr.
17 Jackson answers, "The cartel is a part, the SA said -- the SA
18 that you said don't say nothing about, and me myself, and a
19 couple more people that I already named." Mr. Fishman says,
20 "And those were the people that you named, some with nicknames
21 and some with real names, right?" "Right." "Okay. And none
22 of those people that you named before are related to you,
23 correct?" "One is." "Is that L?" "Yes, it is, sir, your
24 client." And then we asked -- Mr. Fishman asked for the break.
25 So that was the relevant colloquy as I -- as I saw it now.

1 MR. FISHMAN: That's to that one, but remember
2 there's the original one.

3 THE COURT: Right. The other one was early on, very
4 early on, and I thought that was frankly troubling when I heard
5 it.

6 MR. FISHMAN: Yes.

7 THE COURT: But -- but we walked away from it when
8 Mr. -- when -- when Mr. Fishman said, "I don't -- I don't know
9 what you mean by that or whatever that's supposed to mean" and
10 then went on to a new topic.

11 So all right. I know this is not the first time
12 we've had issues with witnesses volunteering information. It
13 may be the first time I've seen where a witness volunteers
14 information that his nephew is represented by defense counsel.
15 I don't know exactly what the overall upshot or prejudice --
16 prejudice of it is necessarily going to be, but I'll give it
17 some thought and we'll -- we'll look into it and try to deliver
18 a decision as expeditiously as possible, okay? All right.

19 Thank you all. Let's take a quick five-minute break.

20 MR. FISHMAN: Does the Court want me to continue with
21 him?

22 THE COURT: Yeah, I think you should continue,
23 mm-hmm.

24 (Court in recess at 1:25 p.m.)

25 (Proceedings resumed at 1:34 p.m., all parties

1 present, witness Gary Jackson resumes the stand, jury
2 not present)

3 THE COURT: Okay. Everybody may be seated.

4 Can we get -- we should get the witness back in.

5 Will, I think we should also line up the jurors.

6 Briefly, could I ask or did our clerk ask the United
7 States to admonish or instruct the witness not to -- not to
8 engage in extraneous personal remarks that might affect
9 relationship with the defense attorney or anything like that?

10 MR. BUCKLEY: Yes, Your Honor. Mr. -- Mr. O'Hara
11 conveyed that request to me and I did so in the presence of the
12 Special Agent Mark Kreig of the FBI.

13 THE COURT: Okay. I'll probably give Jackson a --
14 a -- just a -- an admonition of my own, so I appreciate you
15 doing that.

16 I don't have a good sense of this. My -- my instinct
17 is that -- is that -- is that both lawyers are -- you know,
18 have -- have merit to their argument. I think the
19 defendant's -- or the witness's statement obviously was out of
20 bounds. I didn't look at the jury either. I take Mr. Fishman
21 at his word if he said there was some sort of reaction after
22 the -- the statement. Whether it rises to the level of a due
23 process or some other sort of violation that would require a
24 mistrial and a restart, I'm not sure of.

25 I know for a fact everything I saw wouldn't put

1 either of the other defendants on trial in jeopardy. And then
2 you have the issue of can you sever a defendant in the middle
3 of a trial? I don't know the answer to that one either.

4 I would urge the lawyers to -- to file any
5 authorities that you -- that you want to have the Court take a
6 look at. And I'd say as late as, you know, midnight tonight,
7 if you want to file anything electronically, we'll take a look
8 at that and make a conclusive decision in the morning.

9 I don't feel comfortable making a final decision now,
10 but I -- I feel in terms of efficiency and the fact that we can
11 hopefully after I read a few cases rectify this with some sort
12 of an instruction, if desired, and an ad -- admonition to the
13 witness, I -- I -- I think that we should finish out the day,
14 which doesn't have a lot of time left in it, and then -- and
15 then make -- make a -- a ruling and figure out where to go
16 tomorrow morning, okay?

17 MR. BUCKLEY: Certainly, Your Honor. And just one
18 request. If the Court is going to admonish the witness, I ask
19 that it be done outside the presence of the jury.

20 THE COURT: Yes, of course. I agree a hundred
21 percent.

22 MR. BUCKLEY: Thank you, Your Honor.

23 THE COURT: Anything else?

24 MR. BUCKLEY: No, sir. Thank you.

25 THE COURT: Listen, Mr. Jackson, the U.S. Attorney's

1 Office told me that they spoke with you, and I'm going to speak
2 to you directly. You are not to, first of all, argue with the
3 counsel, go beyond the question that's asked by the counsel or
4 volunteer information. You just simply have to listen to the
5 question that the counsel asks and then answers it. And you
6 are absolutely not under any circumstances to refer to any
7 relationships between others that you know and the counsel in
8 the case that are not germane or -- or -- or involved in the
9 trial of this case, okay? So I'm going to tell -- tell you
10 that.

11 THE WITNESS: I'm sorry for that, sir.

12 THE COURT: No, that's all right. I -- I under --
13 I'm not asking for an apology. What I'm asking for is that you
14 abide by my an -- admonition going forward, okay?

15 THE WITNESS: Yes, sir.

16 THE COURT: All right. Very good. Ready to get back
17 to it then?

18 MR. BUCKLEY: Yes, Your Honor.

19 THE COURT: All right. Okay. All right. Let's
20 bring the jury in. Let's all rise.

21 (Whereupon the jury entered the courtroom at
22 1:38 p.m.)

23 THE COURT: Okay. Everybody's back. Everyone may be
24 seated.

25 And let's keep moving forward. Mr. Fishman has got

1 the floor. Go right ahead.

2 BY MR. FISHMAN:

3 Q. Mr. Jackson, we were talking about the large money seizure
4 that happened July 26th, 2010. You recall that?

5 A. Yes, sir.

6 Q. You told us that you contacted Curly to let him know that
7 there was going to be a lot of money that might be available
8 for seizure, correct?

9 A. True.

10 Q. And at some point in time you had a conversation with
11 Curly and also Officer Watson, you talked about more of the
12 details, is that correct?

13 A. True.

14 Q. And then at some point in time, in fact, the truck was
15 loaded up and it was getting ready to leave, correct?

16 A. True.

17 Q. You told us about the Burger King, you went there and you
18 called Curly, correct?

19 A. True.

20 Q. And you told us earlier this morning that before the truck
21 was actually leaving, when you were having conversation with
22 the police officers, Curly and Officer Watson, you told them
23 that you expected some money off the top, is that true?

24 A. That was promised to me, sir.

25 Q. I understand. Did you request it or did they bring it up

1 on their own?

2 A. No, they brought it up on their own.

3 Q. All right. And was it Watson that brought it up?

4 A. Yes, sir.

5 Q. And what he told you was, "Look, you'll get 300,000 off
6 the top and then the police department will give you 500,000
7 legally," is that about right?

8 A. True.

9 Q. And you believed him, correct?

10 A. Yes, I did.

11 Q. You didn't know whether he was telling you the truth or
12 whether he was lying, did you?

13 A. I thought one way, the truth.

14 Q. And you believed him because he was a police officer?

15 A. Yes, sir.

16 Q. Did you know at the time you were talking to him he was an
17 undercover narcotics officer?

18 A. Yes, sir.

19 Q. And you know from your experience or from just talking to
20 other people that undercover narcotics officers have to lie
21 routinely to people, right?

22 A. No, sir.

23 Q. You don't know about undercover officers --

24 A. No, sir.

25 Q. Just hang on a second.

1 You don't know about them going and making buys
2 pretending that they're junkies or pretending that they're
3 street guys even though they're the police, you don't know
4 anything about that?

5 A. Well, I know they're undercover, sir, but this wasn't
6 undercover.

7 Q. Okay. You agree with me, do you, sir, that undercover
8 police officers routinely lie while they're acting as
9 undercover officers, you agree with that?

10 A. I'm not going to say that they lie. I know they make
11 buys, sir.

12 Q. Okay. Without beating a dead horse, you know they don't
13 say they're the police when they're making a buy, right?

14 A. True.

15 Q. Which means it's a lie, right? Right?

16 A. Yes.

17 Q. All right. So you were operating under the assumption
18 that if you set this deal up, that you're going to get 300,000
19 bad money off the top money and 500,000 from the city, right?

20 A. True.

21 Q. And that's what you were counting on when you made that
22 call to Curly, am I right?

23 A. True.

24 Q. And when you found out, either from the media or from
25 somewhere else, that there wasn't really -- they didn't say

1 there was 3 million, they said there was only 2.1, you felt
2 like they stole from you, right?

3 A. I knew it.

4 Q. But you felt it was thievery from you, correct?

5 A. True.

6 Q. Because some of that money, at least based on what you
7 were telling us earlier, some of the money in the truck was
8 your money, wasn't it?

9 A. No. It was the cartel's money, sir.

10 Q. But didn't you tell us, Mr. Jackson, that you and some
11 other people sold the dope and that money was included in the
12 money that was going back to the cartel, didn't you tell us
13 that?

14 A. Yes, but it wasn't my money. It was the cartel's money.

15 Q. Right, after you put it on the truck?

16 A. The proceeds, yes.

17 Q. But the money, some of it at least, came from you as a
18 result of drug sales, true?

19 A. True.

20 Q. Okay. So you believed, once you heard about this number,
21 you believed that you got screwed, right?

22 A. I knew it.

23 Q. And you didn't trust them from there on, right?

24 A. True.

25 Q. Because they had lied to you, correct?

1 A. True.

2 Q. Okay. And when all was said and done, you wound up
3 getting a payment from the Detroit Police Department, correct?

4 A. True.

5 Q. And that was all on the books, correct?

6 A. True.

7 Q. And the lady was there you told us about from the police
8 department and you signed the form that Mr. Buckley showed you,
9 correct?

10 A. True.

11 Q. And you received \$250,000 cash money, correct?

12 A. True.

13 Q. Okay. And you were still angry because as far as you were
14 concerned, the police officers had screwed you because you
15 didn't get \$800,000, right?

16 A. Wrong. I was not angry.

17 Q. You weren't angry. Okay. All right. You were happy?

18 A. Yeah. Can you hear it?

19 Q. Yeah. Okay. In the taped conversation that we listened
20 to this morning, you were talking about 100 or 150 kilos that
21 might be coming into the city, correct?

22 A. True.

23 Q. And were you telling the truth or were you lying?

24 A. I was telling the truth.

25 Q. And did the hundred or hundred and fifty kilos come?

1 A. Never.

2 Q. They never got there?

3 A. Nope.

4 Q. Okay. And you certainly never called the police and told
5 them, "Hey, I've got a hundred and fifty kilos we can get," did
6 you?

7 A. No, sir.

8 Q. And with respect to getting your cash, you told us and the
9 exhibit showed that you got that cash on August the 14th of
10 2010, correct?

11 A. True.

12 Q. And that would have been by my count 19 days after the
13 seizure, correct?

14 A. Yes, sir.

15 Q. But you believed, and the reason that you arranged for the
16 meeting with the chief, you thought you were never going to get
17 any money, right?

18 A. True.

19 Q. So you thought not only do these guys lie, the cops, but
20 the city was going to lie too, the city would never give you
21 your money?

22 A. No, I'm not going to say that after I finished talking to
23 Godbee.

24 Q. Before you talked to Godbee, you were aware from Calvin
25 Turner that there was a program where if you were an informant,

1 you could get money, you knew that, right?

2 A. True.

3 Q. And Turner told you that he heard that from Curly, right?

4 A. True.

5 Q. So when you arranged for your meeting with Godbee, was it
6 your feeling that there really was no such program, the city
7 was going to screw you out of the money and that's why you
8 needed to talk to the chief?

9 A. Well, what I was getting ready to do, sir, is go to Bingo,
10 and that's Derrick Coleman's friend, that's Dave Bing, to the
11 mayor if I couldn't get nowhere with the chief and go to the
12 news.

13 Q. Okay. But my question is -- you were going to go to the
14 news?

15 A. Yes, I was.

16 Q. And tell them you were a dope dealer?

17 A. Sure was.

18 Q. Okay. But that didn't happen, did it?

19 A. No, sir.

20 Q. And you didn't go see -- you didn't go see Dave Bing
21 either, did you?

22 A. No. Godbee stopped it right there.

23 Q. All right. But my question is, if you could just answer
24 what I'm asking you, did you believe when you tried to -- or
25 when you arranged a meeting with Godbee, that the city was

1 going to screw you too, just like what the cops did, is that
2 what you believed?

3 A. No, I didn't.

4 Q. Okay. You agree I think, sir, do you not, that various
5 people close to you got arrested by the Detroit Police during
6 this time period?

7 A. Yes, sir.

8 Q. You agree that Tone Anderson had 250 grams of I think
9 heroin, might have been cocaine seized from him, you know about
10 that?

11 A. I knew about it but I didn't have any doings with it.

12 Q. All right. But -- but Mr. Anderson was close enough to
13 you that he was included on the list of people you were
14 cooperating against, right?

15 A. Yeah. He used to run for me.

16 Q. Okay. And you knew that he was also the subject of a
17 search warrant where money and some guns were seized, did you
18 know that too?

19 A. From Mr. Anderson, no, I didn't.

20 Q. Okay. You know that your nephew, Jermaine Rooks, was
21 arrested with a kilo, correct?

22 A. Yes.

23 Q. And the reason you know it is you're the one who told on
24 him, right?

25 A. True.

1 Q. And that's because you were mad at him, right?

2 A. No.

3 Q. No?

4 A. No, I wasn't.

5 Q. Did you ever listen to any of the phone calls that you had
6 on your tape?

7 A. You may listen to it afterwards, not before. I wasn't
8 really mad at him.

9 Q. Have you listened to the conversation you had with
10 Jermaine Rooks about him supposedly getting rid of a shotgun
11 you left with him?

12 A. A shotgun? Yeah.

13 Q. Yeah. And did you remember -- do you listen to that phone
14 call? Do you remember telling Jermaine Rooks that if he wasn't
15 your nephew, you'd kill him?

16 A. Yeah, I might have said something, but it was no
17 intention, sir.

18 Q. Okay.

19 A. I was just angry at the time.

20 Q. Angry. And as you told us earlier, if you get angry with
21 somebody, that's when you got to get even with them, right?

22 A. Not in those words, sir, but I --

23 Q. Okay. Whatever --

24 A. -- just would back off.

25 Q. -- whatever words you pick, would you agree with me, you

1 hold a grudge, you're going to get even?

2 A. No, I'm not going to say that. I just say when you're
3 dishonest, it just makes me look at you twice, sir.

4 Q. Okay. Was that the reason that you set your own nephew up
5 on a kilo arrest?

6 A. No, sir.

7 Q. Okay. I think Mr. Harrison referred to a guy, Ben-Ben.
8 You -- that means -- that's Benny Doughrity, D-O-U-G-H-R-I-T-Y,
9 right?

10 A. Yes, sir.

11 Q. And you told us about your actions with respect to the
12 arrest of Benny Doughrity. Remember telling us about that
13 earlier?

14 A. Go ahead.

15 Q. That means yes, right?

16 A. Yes.

17 Q. You wanted to help your nephew, that nephew, if you could,
18 right?

19 A. True.

20 Q. So you contacted Curly, am I right?

21 A. Yeah, Super Friends.

22 Q. Yeah, Curly is a Super Friend?

23 A. Yes, mm-hmm.

24 Q. Right?

25 A. Yes, sir.

1 Q. And you contacted him and you asked him to basically
2 figure out a way to help your nephew, right?

3 A. True.

4 Q. And you supplied the fake dope that went into the
5 Whitewood address?

6 A. Yes.

7 Q. And you don't remember whether you supplied the gun that
8 was also found there?

9 A. No, I can't recall on that one, sir.

10 Q. Did you believe that by doing that, that the police would
11 go in with a search warrant, either a phony one or real one?

12 A. Right.

13 Q. And find the stuff?

14 A. Yes.

15 Q. You told Mr. Harrison you didn't know if there was a
16 search warrant or do you know?

17 A. It had to be one.

18 Q. All right. And you don't know whether the search warrant
19 was made up, the affidavit was filled with lies by Curly, you
20 don't know that one way or the other or do you know?

21 A. Well, I knew that he had to put a search warrant. I don't
22 know what he put on there, sir.

23 Q. Okay. And you expected, or you hoped at least, that
24 something good would happen for Benny Doughrity if you all put
25 the fake dope in the house and the police seized it, true?

1 A. True.

2 Q. And Benny Doughrity today is in the middle of serving his
3 five-year sentence on the gun case, true?

4 A. True.

5 Q. And that gun case is the case that you were trying to help
6 him on, right?

7 A. True.

8 Q. And you said you don't know if Sergeant Hansberry had
9 something to do with keeping that from happening, you don't
10 know that?

11 A. That's the first time I'm hearing it today, sir.

12 Q. Okay. Who lived at 2424 Glynn, G-L-Y-N-N?

13 A. Deke.

14 Q. And that's Mr. Tucker, correct?

15 A. True.

16 Q. And did you have something to do with fake drugs being
17 placed in 2424 Glynn Court?

18 A. Fake and real, both.

19 Q. Okay. Fake and real.

20 That was you and Curly again, correct?

21 A. Yes, sir.

22 Q. And did you know that Curly was going to obtain a phony
23 search warrant from a judge in state court to go into 2424
24 Glynn?

25 A. Well, Curly didn't know if it was any fake to it. Just

1 being honest.

2 Q. Curly didn't know but you knew?

3 A. True.

4 Q. And Fred Tucker or Deke was not at home at the time?

5 A. No, he wasn't, sir.

6 Q. And as a result -- you're saying that -- that you gave
7 information to Curly about the 2424 Glynn address, correct?

8 A. True.

9 Q. But you didn't tell Curly that the dope would be fake?

10 A. No.

11 Q. Again, you -- you weren't here when Curly testified, you
12 don't know what he said about this?

13 A. At the end of the day, he probably after -- afterwards,
14 you know what I mean, but not before time like that. That's
15 just -- I had it hid over here.

16 Q. Okay. And you did that so that Curly -- Curly was your
17 control person, the one who signed you up as an SOI, am I
18 right?

19 A. Yes, sir.

20 Q. And as a result of this raid, did you get a payment from
21 the police?

22 A. \$5,000.

23 Q. And that came from the Detroit Police Department, correct?

24 A. True.

25 Q. And you knew when you got it, that the whole thing was

1 phony, right?

2 A. No, whole thing wasn't phony. That's what I told you. It
3 was real and just a couple wasn't, that's all.

4 Q. And that -- whatever it was that was over there, that was
5 the subject, was it not, of the conversations that you had with
6 Fred Tucker and Calvin Turner when this entire Dante Mitchell
7 holding Fred Tucker hostage with the pistol situation came up,
8 right?

9 A. You talking a couple different incidents, sir.

10 Q. No, I'm only talking one.

11 All right. Let me break it down for you, okay? You
12 haven't heard your phone conversations from May the 2nd, May
13 the 3rd, May the 4th of 2014 that were part of the wiretap,
14 have you?

15 A. No, sir.

16 Q. So you don't know -- well, you haven't heard yourself then
17 talking to Fred Tucker, Calvin Turner, you haven't heard
18 yourself talking those days, correct?

19 A. Is that -- if I can ask you, is that with Dante or is that
20 the seizure of this house? I just want to know which one are
21 you talking about?

22 Q. The first question is, I think you've answered, you've not
23 heard any of your conversations from those dates?

24 A. No, sir.

25 Q. All right. If I tell you that May the 2nd, 2014 is the

1 day that there were conversations about Dante Mitchell holding
2 Fred Tucker at gunpoint, does that sound right to you, May 2nd?

3 A. I don't know exact date, but yeah.

4 Q. Spring of 2014?

5 A. Yes.

6 Q. While the wiretap was up?

7 A. Yes, sir.

8 Q. Okay. You were told by Tucker, he gets on the phone and
9 he tells you, "Dante Mitchell's got a gun on me," right?

10 A. Yes, I think --

11 Q. You don't know Dante Mitchell from Adam's housecat at the
12 time, do you?

13 A. I don't know him.

14 Q. And Mr. Tucker tells you that Dante wants his drugs and
15 wants his money back, right?

16 A. I think one or the other.

17 Q. Well, you gave Tucker drugs to give to Dante, correct?

18 A. True.

19 Q. And it was heroin, correct?

20 A. True.

21 Q. And you know from your experience that sometimes, I'm not
22 saying it happened here, sometimes the person who gets it from
23 somebody else steps on it on his way over to deliver, correct?

24 A. True, yes.

25 Q. And steps on it, I think we've said it before, just so the

1 jury's clear, you put some non-drugs with it, correct?

2 A. Well, I never did, sir. That's why you said if I brought
3 it. I'm just being pacific with you. If I brought it. I
4 didn't bring anything. It's already at Mr. Tucker's house.

5 Q. Okay. But my -- my point is, you'd agree with me that
6 stepping on it means adding more mix to it which makes it less
7 potent and sometimes people don't want to buy it, right?

8 A. Think you know the chemistry. That's good, sir.

9 Q. So when Mr. Tucker tells you this guy's got a pistol on
10 him, the first thing you tell him, "Well, he's got to give you
11 the drugs back," right?

12 A. If that's what it said, yeah.

13 Q. And you know that Deke is sitting there being held at
14 gunpoint, correct?

15 A. True.

16 Q. So you call Curly, as you told us, correct?

17 A. True.

18 Q. And eventually the police get Tucker and also I think the
19 person you called Hook, which is Metcalf, right?

20 A. Yes.

21 Q. They get them out of there, correct?

22 A. Yes, sir. Excuse me.

23 Q. Do -- do you agree with me that after that happened, that
24 you and Calvin Turner and Fred Tucker had a number of phone
25 conversations talking about what should Mr. Tucker tell the

1 Prosecutor's Office and the police? Do you agree with that?

2 A. I -- I don't know so much as Calvin -- I know I was
3 talking to Calvin, then I can't say, but I know Mr. Tucker for
4 sure.

5 Q. And didn't -- isn't it true that in those conversations,
6 you and Mr. Tucker came up with a story for him to tell the
7 police where you could get Dante Mitchell charged with a crime
8 and maybe go to jail?

9 A. I can't recollect everything, sir, but if that's in there,
10 that's in there.

11 Q. Do you remember telling Fred Tucker to come up with a
12 story that didn't involve him selling Dante Mitchell heroin,
13 rather he should say something like he owed him money or
14 something along those lines?

15 A. I might have said that, sir. I don't know exactly.

16 Q. And -- and do you remember saying at any time, along with
17 Mr. Tucker, that, "Hey, you can tell the police that the dope
18 that was found on Glynn Street was Dante Mitchell's." Do you
19 remember that being part of conversations?

20 A. I can't recall, but if that's in there, okay.

21 Q. Okay. And do -- do you know today that Fred Tucker
22 actually went to court as the complaining witness charging
23 Dante Mitchell with whatever it was for holding him at
24 gunpoint, do you know about that?

25 A. Yes, sir.

1 Q. And you know today, you know Fred Tucker went there and
2 lied his behind off, you know that, don't you?

3 A. No, sir.

4 Q. Okay. All right, Mr. Jackson. That's it.

5 THE COURT: Okay. Thank you. Mr. Sasse?

6 MR. SASSE: No questions, Your Honor.

7 THE COURT: Anything else, Mr. Buckley?

8 MR. BUCKLEY: Nothing further of Mr. Jackson, Your
9 Honor.

10 THE COURT: Let me see the lawyers up here real
11 quick.

12 (Side-bar discussion as follows):

13 THE COURT: The cases say that my obligation when I
14 learn of or see the witness going into improper territory is to
15 cut it off and instruct the jury as soon as possible that the
16 matters of which the witness testified were improper and should
17 be ignored, if not strike the testimony.

18 As I mentioned in our earlier colloquy, Jackson's
19 statement went by me so fast that in the -- in the line of
20 questioning that was going on and trying to figure out the
21 names, looking at the other material in the transcript, I
22 didn't -- I didn't catch the impropriety immediately, but Mr.
23 Fishman did and he asked for a break. We adjourned court
24 and -- and had our discussion.

25 There's certainly First Circuit if not Sixth Circuit

1 authority, which we haven't found yet, that when this happens,
2 a curative instruction and striking the testimony would
3 properly redress the situation for a wide variety of reasons,
4 including the jury's presumptive attention to the presiding
5 judge's admonitions. I would have done this right now or at
6 the end of the day, but I -- I don't want to -- I want to ask
7 Mr. Fishman, do you want me to give a curative instruction
8 or -- I -- I don't think a mistrial is appropriate if I do, but
9 strategically you may not want me to highlight all this, so I
10 wanted to defer to you in terms of what you think.

11 MR. FISHMAN: Case law is amazing. It always puts
12 the weight right back on the defense lawyer.

13 THE COURT: Yeah.

14 MR. FISHMAN: What I would prefer to do, since I am
15 totally unaware of the case law, is wait until morning.

16 THE COURT: Yeah.

17 MR. FISHMAN: And after looking, I'm going to ask
18 Will to -- I wish I had someone like Will so I'd have all these
19 cases at my fingertips.

20 THE COURT: We're very lucky, we're very lucky, yeah.

21 MR. FISHMAN: But I'd like that. I'd like him to --
22 if he'll give me the cases he's looked at. I'd just like to
23 take a look and see.

24 THE COURT: Okay.

25 MR. FISHMAN: I don't see any harm.

1 THE COURT: I'll -- I'll say something at the end of
2 the day, that witness -- witness testimony beyond the relevant
3 matters of the case should -- should never be considered and
4 that -- you know, do my usual thing about paying attention.

5 MR. FISHMAN: But I would -- I don't want the
6 specifics explained. Maybe just give them a warning as to --

7 THE COURT: No, I'm not going to go into specifics.

8 MR. BUCKLEY: Well, I don't think Mr. Fishman's
9 entitled to a double dip, Judge, so I mean --

10 MR. FISHMAN: It can wait til tomorrow is what I'm --

11 MR. BUCKLEY: Is that what you plan?

12 MR. FISHMAN: Yeah.

13 THE COURT: All right. Okay. All right. Good,
14 good, good, good. We'll split the difference, so to speak.
15 All right. Thank you all.

16 MR. BUCKLEY: Thank you, Judge.

17 (End of side-bar discussion)

18 THE COURT: Okay. Very good. Mr. Jackson, that
19 completes your testimony. You may step down and be on your
20 way.

21 THE WITNESS: Thank you, Your Honor.

22 THE COURT: And thank you, and thanks for staying on
23 time and with us during the breaks, okay? Okay. Have a good
24 afternoon.

25 (Whereupon the witness was excused at 2:00 p.m.)

1 THE COURT: Well, it's 2:00 o'clock. We ought to
2 break, huh? All right. Okay. All right.

3 Well, I have -- I've prepared a -- I didn't give you
4 all the admonitions over and over today but I did prepare a
5 little -- little chart. Don't discuss the case. These are
6 your jurors' obligations. Don't talk about it among yourselves
7 or with others on your break. Don't read or listen or engage
8 in any electronic communication or investigation about the
9 case. Don't do any research or investigation on your own.
10 Don't form any opinions until the evidence is all in and you
11 begin deliberating.

12 We want you to keep your eyes on the evidence and
13 remember what I told you at the beginning of the case what was
14 and was not evidence. At the end you will have the full and
15 fair opportunity to deliberate on all the evidence in the case
16 and to -- and to make your decision, but your time for that has
17 not come yet, okay?

18 So with all those admonitions about your duties in
19 mind, we will set you free for the day and ask you to be back
20 here at 8:30. Thanks again for your timeliness, especially
21 when you got here on time this morning, but being compliant
22 with the schedule on the breaks too. I think -- I think we --
23 we've had a good several days and we've got a couple of more
24 next -- left this week and then we'll see where we go, okay?
25 All right. Thank you all.

1 Let's all rise for our jury.

2 (Whereupon the jury was excused at 2:02 p.m.)

3 THE COURT: Okay. Everybody may be seated. All
4 right. We'll be in recess.

5 MR. BUCKLEY: Thank you, Your Honor.

6 THE COURT: Thank you.

7 (Whereupon proceedings in the above-entitled matter
8 were adjourned to Thursday, June 30, 2016)

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C E R T I F I C A T I O N

I, Linda M. Cavanagh, Official Court Reporter of the United States District Court, Eastern District of Michigan, appointed pursuant to the provisions of Title 28, United States Code, Section 753, do hereby certify that the foregoing pages 1 through 205 comprise a full, true and correct transcript of the proceedings held in the matter of United States of America vs. David Hansberry, Bryan Watson and Kevlin Omar Brown, Case No. 15-20217, on Wednesday, June 29, 2016.

s/Linda M. Cavanagh
Linda M. Cavanagh, CSR-131, RPR, RMR, CRR
Federal Official Court Reporter
United States District Court
Eastern District of Michigan

Date: July 20, 2016
Detroit, Michigan